The Dissertation Committee for Giovanni Batz Certifies that this is the approved version of the following dissertation:

The Fourth Invasion: Development, Ixil-Maya Resistance, and the Struggle against Megaprojects in Guatemala

Committee:

Charles R. Hale, Supervisor

Martha Menchaca

Paola Canova

Virginia Garrard Burnett

Luis Urrieta

The Fourth Invasion: Development, Ixil-Maya Resistance, and the Struggle against Megaprojects in Guatemala

by

Giovanni Batz, B.A.; M.A.; Ph.D.

Dissertation

Presented to the Faculty of the Graduate School of

The University of Texas at Austin

in Partial Fulfillment

of the Requirements

for the Degree of

Doctor in Philosophy

The University of Texas at Austin

May 2017

Dedication

To my *abuelita* Clara Coyoy Ixcot, and my mother Miriam. To all the mothers and grandmothers who struggle for their families on a daily basis. To those who fight injustice and oppression in all its brutal manifestations. I hope that this dissertation matches even a tiny shred of your invaluable efforts.

Acknowledgements

If I were to thank every person who has ever supported me in all of my endeavors, it would form another long chapter in this dissertation. Below are just some of the many people, organizations and institutions who have guided me on my academic journey. I apologize in advance to anyone I may have missed or omitted.

First and foremost, I would like to thank the people, *abuelos*, ancestral authorities and communities of Cotzal for allowing me to work with them for this dissertation project. I am forever grateful to the Ixil Region, not only for the research I have conducted there, but for the life and spiritual lessons that I experienced while living there. I thank the people of Chajul, Cotzal and Nebaj for trusting me to write this work, and who have shared stories of violence and injustice, as well as stories of hope, resistance, and perseverance. Thank you for the opportunity to share with you all my own life experiences and stories, for the *confianza* that you gave me, and for the knowledges that you all shared that will guide me throughout my life.

In no particular order, I would like to thank various people, groups, organizations and others. I thank the members and leaders of the *Alcaldía Indígena* of Cotzal for giving me the opportunity to accompany them in their movement, their meetings, their travels, and in their dreams for the empowerment of their communities. A special thanks to the residents and community authorities of San Felipe Chenlá (Comunidad Indígena Tu Poj) for agreeing to let me stay and live in the community for my field research. I was always greeted as a neighbor. I thank the students, founders, facilitators and ancestral authorities of the Ixil University for serving as an example to the world, not through discourse, but through their actions and teachings. While I served as a facilitator and tutor at the Ixil

University, I always considered myself a student. Your example has shaped me into the person and scholar I am today.

I have learned invaluable knowledge from *don* Concepción Santay Gómez, someone who I respect deeply, and Tixh Viyo'm (Baltazar de la Cruz Rodríguez), someone who has become one of my best friends and a brother. My work would not have been possible without the support of Samuel Gomez and his family, *don* Miguel, *doña* Rosa, Isabela, Elias and Ana, who provided me with a place to call home during my field research. I consider them to be my second family. I am appreciative to the strong, supportive and committed people who I met since arriving to Cotzal in 2011. At the risk of missing someone, these include in no particular order: Sebastián Sajic Córdova (Q.E.P.D.), the de la Cruz Rodriguez family, the Lux Tiu family, all the *alcaldes comunitarios* and authorities of San Felipe Chenlá, Maria Sajic, Nicolas Toma Toma, Juana Cordova, Magdalena Terraza Brito, Juana Gomez, Maximiliano Poma Sambrano, Pablo Ceto, Miguel de Leon Ceto, Miguel Rivera Solis, Antonio Pérez Martínez, Gabriel Torres Cavinal, Juan Luis de la Cruz Rodriguez, Pedro Sambrano Rodríguez, Maria Toma, Santa Roselia de Leon Calel, Rosa Mendoza Caba, Ma't Kab', Diego Santiago Ceto, Miguel Ostuma, Andres Martinez, Nicolas Cedillo, Sebastian Lux Osorio, Francisco Cruz, Benito Maria, Tobias Roberts, Pascal Huwart, Petronila Puente Sánchez, Agustin Samuel Raymundo Cedillo, María Pu Ajanel, Juan Ordoñez Cruz, Manuela Canay, Rosa Ramírez Chávez, Gerónimo Sánchez Cedillo, Feliciana Herrera, Juan Cedillo López, Margarita Laynes Ortega, Domingo Daniel Cedillo Cobo, Elena Brito Herrera, Pedro Raymundo, Manuel Bernal, Juan Carlos Teraza, Martina Terraza Brito, Maria Terraza Brito, Cristina Solis, Vicente Raymundo, Elias Solis Raymundo, Gaspar Cobo Corio, Luz Raymundo, Leonel Morales, Ana Laynez, Pedro del Barrio, Esteban Juan (Q.E.P.D.), Miguel Abraham Toma Toma, Samy Pérez, and others. A thank you to Tx'umil, Vela Raymundo, and

Miguel Brito for opening their home in Nebaj. Others who were helpful and supportive in my research in Guatemala include: Nancy Sabas, Elaine and Steve Elliott, David Solis, and Rene Ozaeta. My sincerest apologies to anyone I may have missed.

I want to thank my colleagues and my *compañera/os de la lucha academica* (the academic struggle) who have supported me, engaged in discussion inside and outside the classroom, and helped me to keep it real: Edwin Roman Ramírez, Emily Spangenberg, Alejandro Flores, Monika Banach, Adriana Linares, Flori Boj-Lopez, Sergio Romero, Shanya Cordis, Christina Gonzalez, Greg Gonzales, Daniel Perera, Elizabeth Velasquez, Jose Centeno-Melendez, Arno Argueta, José Villagrán, Omar Diaz, Ignacio Carvajal Regidor, Heather Teague, Candace Lopez, and Leticia Aparicio Soriano. I am grateful to all the scholars of color who have come before me, especially those who have personally shared their stories of discrimination, marginalization, racism, sexism, among other challenges, as well as providing me with advice to better grow in academia. They are the ones who have made it possible for someone like me to make it this far. In particular, I want to express my deepest gratitude to Alicia Estrada who was the one who motivated me to apply to graduate school in the first place; Martha Menchaca for supporting me since I first arrived to UT; and Luis Urrieta who taught me to always speak from the heart without fear.

Many thanks to my dissertation committee for their feedback, suggestions, comments: Charles R. Hale, Martha Menchaca, Luis Urrieta, Virginia Garrard, and Paola Canova. I also thank Shannon Speed for supporting my work and who served as a committee member for my committee before her departure from UT. I want to especially thank my advisor Charles R. Hale for supporting my work, providing me with invaluable feedback, and for giving me the space to do things my way and be myself throughout the stages of my doctoral degree. The staff at the Benson Library were always helpful,

especially Margo Gutierrez and Adrian Johnson. I also want to thank the Lozano Long Institute for Latin American Studies and the Native American and Indigenous Studies program for providing me with the financial support for research throughout my time at UT. A big thanks to the Inter-American Foundation for providing me with a dissertation research fellowship to carry out my work.

I want to especially thank the people who have believed in me even when I didn't. This includes Erik "Boxer" Hernandez who was always there to listen and motivate me to keep going. Emily Spangenberg for her friendship and her insights that have always enriched my perspectives on things. Edwin Roman Ramírez for always making the time to grab a drink and share our thoughts. Alejandro for allowing me to reflect out loud and reassuring me of my doubts. Edwin, Alejandro and I finished writing our dissertations together, making it three Guatemalan's who graduated with PhDs at the same time at the University of Texas at Austin (that has to be some sort of record!).

I also want to thank the families, friends and people in Guatemala and the US who helped me out as well. They include the Gonzalez, Borrayo and Quino families, especially my *tía* Josefina and *tía* Angela. Thanks to *doña* Carmen, *don* Carlos, Victor, Mara, Kevin, and Cristian Contreras, for always being kind and generous people.

Lastly, I want to thank members of my family. I am eternally grateful to my *abuelita*, Clara Coyoy Ixcot, a 95-year old K'iche' woman who has worked her entire life. To my mother Miriam Graciela Uribio, who showed me to be empathetic through her example and the way she lives her life. She is the kindest and most thoughtful person you could meet. To my father, Miguel Angel Batz Coyoy, who taught me the value of being a hard worker and to always follow through on commitments. To my brothers Mike and Marvin who have supported me in more ways than one. To my niece Izzy who is the future of our family. A special thanks to my amazing partner Monika Banach who has been there

for me during the dissertation writing process. She is a great colleague, my best friend, and the person I love and cherish the most.

The Fourth Invasion: Development, Ixil-Maya Resistance, and the Struggle against Megaprojects in Guatemala

Giovanni Batz, PhD

The University of Texas at Austin, 2017

Supervisor: Charles R. Hale

Abstract: With an increasing global demand for natural resources and the predominance of neoliberalism in Latin America, there has been a growing presence of foreign companies, mainly from North America and Europe, who have engaged in energy production and extractivist industries such as building hydroelectric dams, mining, logging, and petroleum extraction. State officials, the private sector and other supporters of these projects have argued that these initiatives foster national and local development, create employment and enhance social living conditions, especially in impoverished communities, as well as contribute to creating clean, alternative and renewable sources of energy (in the case of dams). Yet, many indigenous communities, human rights organizations, and opponents claim that these industries do not produce development, and instead are responsible for causing communal divisions, environmental degradation, human rights violations, and militarization.

In Cotzal, the arrival of these megaprojects in Guatemala has been referred to as the new or fourth invasion, with three previous invasions consisted of Spanish Colonization, the creation of plantations at the end of the 19th century and early 20th century,

and the Guatemalan Civil War (1960-1996). My dissertation presents a historical account of these Four Invasions with an emphasis on a conflict surrounding the construction of a hydroelectric dam in Cotzal. In addition, it examines the recent creation of Ixil-Maya based organizations and movements in the Ixil Region, which are striving to recover *tichajil* (*el buen vivir*/the good life) to challenge global western capitalistic forms of development, and achieve and/or reaffirm various intersecting forms of autonomy (political, educational and cultural). My research project argues that the arrival of extractivist industries is a continuation of a colonial logic of extraction based on genocidal racist institutions. In return, these extractivist enterprises in every historical invasion is met by Ixil resistance manifested in multiple forms involving open revolts, everyday forms of resistance, the use of the legal system, among others.

Table of Contents

List of Tables

INTRODUCTION

On March 18, 2011, seven-hundred soldiers and policemen, accompanied by three helicopters, entered the community of San Felipe Chenlá located in the Ixil Region in El Quiché, Guatemala in an attempt to end a two-month blockade and peaceful protest against the construction of a hydroelectric dam. The armed forces arrival occurred thirty years after the Ixil Region suffered the worst violence since Spanish colonization at the hands of the military characterized by genocide, disappearances, forced labor, sexual violence, rape, torture and displacement. The military's presence was viewed by the communities of Cotzal as an explicit display of the Guatemalan State's support for the company building the Palo Viejo dam and psychological warfare against a traumatized people who were defending their rights to live with dignity and respect.

Testimonies and video recordings of the incident demonstrates scenes of confusion and a general sense of fear. Members of the armed forces are marching toward San Felipe Chenlá and armed with automatic rifles, batons, shields and helmets. Military members with ski masks intimidate people and scare children. A woman faints upon looking outside her house to see the military surrounding the community; she was a survivor of the violence and massacres of the 1980s and suffers a nervous breakdown. The police and military approached the protestors determined to end the blockade. When it became clear that the armed forces were ready to arrest the community leaders of the movement, the community began to peacefully walk forward, and thus push back the military after a two-hour standoff. At the forefront are mostly women. One young woman tells me that the women gathered together and decided to confront the police and defend their community since they believed that the male police officers may be more hesitant to hit them.

Listening to these stories and watching a video of the armed forces retreat and walking backwards is an impressive and powerful sight, given that in other parts of Guatemala many of these situations ends in violence and bloodshed. As they retreat, people are heard yelling and cheering. A young boy is heard yelling "¡*afuera*!". The individual filming the video says in Ixil that it is sad knowing that the government sends its military to repress its people instead of protecting them. The aftermath involved another fainted woman who is rushed to the hospital. Young children are seen crying from *el susto*. While the protestors were able to stand their ground, and defend their community without any incidents of violence, many were reminded of the terror of the civil war.

Two months later, Enel Green Power, the Italian-based company building the dam on a finca (plantation), agreed to engage in dialogue and provide compensation for the construction of the dam. These talks were viewed as a positive step in having open ended discussions regarding the damages caused by the dam. The dialogue would end when Enel abandoned talks and created a new deal with an incoming municipal mayor. The dam would be constructed and begin to function in 2012.

This was not the first time that these lands have been invaded by the military and state forces, nor was it the first time since inequality, fear and violence permeated every facet of life. The Ixil Region has a history of foreign intervention, imposed forms of development, state-sponsored violence, and resistance. In Cotzal, the arrival of megaprojects in Guatemala has been referred to as the "new invasion", with three previous invasions consisted of Spanish Colonization, the creation of plantations at the end of the 19th century and early 20th century, and the thirty-six-year civil war (1960-1996). My dissertation presents a historical account of these Four Invasions

with an emphasis on the arrival of megaprojects to Guatemala that have threatened indigenous peoples and their culture, identity, histories, livelihoods, ways of knowing, and spirituality.

With an increasing global demand for natural resources and the predominance of neoliberalism in Latin America, there has been a growing presence of foreign companies, mainly from North America and Europe, who have engaged in energy production and extractivist industries such as building hydroelectric dams, mining, logging, and petroleum extraction. State officials, the private sector and other supporters of these projects have argued that these initiatives foster national and local development, create employment and enhance social living conditions, especially in impoverished communities, as well as contribute to creating clean, alternative and renewable sources of energy (in the case of dams). Yet, many indigenous communities, human rights organizations, and opponents claim that these industries do not produce development, and instead are responsible for causing communal divisions, environmental degradation, human rights violations, and at times militarization.

This dissertation examines the recent creation of Ixil-based organizations and movements in the Ixil Region with a focus on responses in Cotzal to the arrival of foreign companies building or planning to build dams and engage in extractivist industries. These movements are striving to recover *tichajil* (*el buen vivir*/the good life) to challenge global western capitalistic forms of development, and achieve and/or reaffirm various intersecting forms of autonomy (political, educational and cultural). One of these movements include the *Alcaldía Indígena* (Indigenous Mayoralty), which was at the forefront of opposition, and their role in re-affirming Ixil identity and rights in order to claim greater legitimacy in governance. In addition, there is a movement to create and achieve recognition of *Comunidades Indígenas* (Indigenous Communities) at the village level to increase local autonomy from the state. The *Comunidades Indígenas* is legally validated

under Article 20 of the Municipal Code and provides inscription in the civil registry, and recognition of indigenous judicial systems, culture, and values. For the Ixils, this means placing all communal power to the ancestral authorities in the form of the *Q'esal Tenam* (Consejo de Principales). Since 2011, nineteen of the thirty-six communities in the municipality of Cotzal have declared themselves as *Comunidades Indígenas*. Yet, the municipal mayor (also an Ixil) has denounced the *Alcaldía Indígena*, and has denied the recognition of the *Comunidades Indígenas* within the municipality. Lastly, the Ixil University represents a community-based initiative at the regional level that seeks to teach students Ixil epistemologies and values. My research project argues that the arrival of extractivist industries is a continuation of a colonial logic of extraction based on genocidal racist institutions. In return, these extractivist enterprises in every historical invasion is met by Ixil resistance manifested in multiple forms involving open revolts, everyday forms of resistance, the use of the legal system, among others.

Coloniality of Power, Autonomy and Decolonizing Native Histories

My research draws and builds on existing debates within coloniality of power, and decolonial theory and thought (Castro-Gómez and Grosfoguel, 2007; Lugones, 2010; Mallon, 2010; Moraña, Dussel, and Jáuregui, 2008; Quijano, 2008; L. Smith, 1999). Spanish colonization of the Americas led to the destruction of indigenous cultures and the imposition of colonial identities and institutions that favored Europeans and marginalized and oppressed indigenous peoples. As Aníbal Quijano (2008) points out, a new model of power was established through the control of labor and the creation of the idea of race. The idea of race imposed new identities such as "indio", "negro", and "mestizo", which became associated with backwardness, laziness, and ignorance whereas Europeans and their descendants came to symbolize modernization,

civilization, wealth, beauty, and intelligence. These identities were used to justify indigenous oppression and inferiority at the hands of Europeans and other non-Indians. In addition, being Spanish or European gained a racial connotation, with Europeans being perceived as "white" and the colonized as "colored". These imposed identities were used to justify the relations of domination between the conquerors and conquered.

Moreover, the colonizers had the power to name and were able to label territories and create centers of power from which they could control indigenous peoples. This was the basis for the emergence of the idea of the "Western Hemisphere," the "Americas," "Europe," and the "Other." Pre-Hispanic names for territories, peoples, and geographical locations were replaced by European identities and names. The power to name allowed the dominant groups to erase the histories and identities of indigenous peoples. Colonized groups were forced into a social and political environment in which European cultures, languages and identities were idealized, thus contributing to internalized racism and self-hatred that persist to this day. Those who practiced their indigenous culture, such as speaking their language or following the Maya Calendar, were persecuted and punished by multiple colonial institutions, and labeled as "savages", "*brujos*", among other derogatory identities. It is these colonial institutions that actively preserve and promote these racist hierarchal attitudes within Guatemala society that criminalizes indigenous bodies and spirits, as well as justifying physical, cultural genocide and violence in the Ixil Region. I trace how these colonial institutions and identities continue to aid megaprojects in occupying indigenous lands for the profits of foreigners and corporations.

Since the 1970s, scholars within Indigenous Studies have increasingly examined the international struggle for indigenous autonomy, self-determination and sovereignty (Niezen, 2003; A. Smith, 2007). Debates on autonomy are extensive in countries with strong indigenous

movements such as Mexico and Guatemala (Baronnet, 2011; Fischer and Brown, 1996). Yet, certain scholars argue that while some propose achieving autonomy through the recognition of ethnic and cultural differences; autonomy is already being achieved in practice and/or *de facto* by community activists who demand that community-based and political authority be recognized by the state (Sieder, 2011). Another set of scholars' states that the concept of "autonomy" itself is framed within western rationality, and may have actually "destroyed" indigenous epistemologies, languages, and ways of living. They argue that indigenous peoples have been forced to adopt the language of "autonomy," which "exposes Indigenous worlds to the many traps of foreign categories and obliges Indigenous peoples to work with them, [yet] by subverting and expanding the meaning of autonomy, Indigenous peoples and their struggles allow all people to imagine different kinds of globalization" (Blaser, 2010: 5-8). I look at how the movements in Cotzal contribute to our understanding of how autonomy is being defined, achieved, appropriated, demanded, and/or practiced by the Ixil.

This dissertation has also been influenced by Florencia Mallon, et al. (2012), who argues that there is a need to decolonize native histories and create alternative histories that focuses on local and community-based histories that recognizes difference and avoids essentializing these communities. Some scholars have called for the need to avoid portraying, and/or romanticizing marginalized peoples as always being victims since it denies their political subjectivity as well as disregarding the complex relationships involved within these communities (Abu-Lughod, 1990). This call is crucial in places such as the Ixil Region, given the contentious nature of literature on the memories of the armed conflict, which has been the site of much controversy. One of these controversies involves Maya Nobel Peace Prize winner Rigoberta Menchú and anthropologist David Stoll who found inconsistencies in Menchú's testimony that described military repression

and genocide against the Maya in Guatemala (Arias, 2001; Stoll, 1999). Through the use of the concept of the Four Invasions, I break traditional time allotments based on nationalistic history that include important dates (1524, 1821, 1871, 1944, 1954, 1960, and 1996) and place emphasis on local interpretation of time. This local perspective will demonstrate why the arrival of megaprojects is considered a "new invasion" for the Ixil.

Cotzal: Location and Demographics

Cotzal is located in the department of El Quiché and forms part of the Ixil Region along with the municipalities of Chajul and Nebaj. The residents of the three municipalities are mainly Ixil with a significant presence of K'iche', and smaller presence of Q'anjob'al and ladinos (non-indigenous). Ladinos are referred to as *mu's* by the Ixil. Other linguistic groups such as the K'iche' also refer to ladinos as *mu's*, and the Mam refer to them as *mo's*. The majority of people are agricultural workers, and people earn between 30 to 35 quetzals a day (approximately $3.98 to $4.65). Below are figures from 2010 municipal reports representing, population, poverty, and illiteracy levels for those over the age of fifteen in the three municipalities (Table 1).

Table 1: Population, Poverty and Illiteracy Rates for 2010

Municipality	**Population**	**Poverty**	**Extreme Poverty**	**Illiteracy**
Chajul	22,367	92.75%	40.59%	39.04%
Cotzal	25,174	83.9%	29.1%	41.61%
Nebaj	73,218	85.5%	29.5%	38. 11%

Source: Consejo Municipal de Desarrollo del Municipio de Chajul (2010); Consejo Municipal de Desarrollo del Municipio de Nebaj (2010); Consejo Municipal de Desarrollo del Municipio de San Juan Cotzal (2010).

Of the three municipalities of the Ixil Region, Cotzal has been the least studied as many researchers, NGOs (non-governmental organization), and state institutions have concentrated their work in Nebaj. This has to do with Nebaj being "more comfortable" and "accessible" for outsiders, and today there are many hotels, pharmacies and other "conveniences" available there. Researchers, international workers and others have admitted to this being their reasons for staying in Nebaj. For example, Cotzal received its first ATM in 2012 and when I arrived in 2011 there were only two or three hotels that I was aware of in the town center. Previous researchers and travelers since the late-19th century and up to the present mention how they spent more time in Nebaj, and only did short visits to Cotzal to visit either the finca San Francisco and the Brol family, or the town center where they met with the Catholic priest or the municipal mayor. In other words, visiting Cotzal was a matter of visiting and accessing spaces of colonial and repressive powers and their agents. This is not to say that researchers or others such as Peace Core volunteers have not visited, lived or worked in Cotzal, but simply that there remains little literature on its history, culture and worldviews. The one exception is Paul G. Townsend who lived in Cotzal and has published on Ixil language and rituals in collaboration with people from Cotzal (Townsend, Cham and Ich', 1980; Townsend and Met T., 1980). Today, people in Cotzal have complained about the centralization of resources and "*proyectos*" in Nebaj. Of the three Ixil groups, Cotzal's variant of Ixil is the most distinct in comparison to Chajul and Nebaj.

Lastly, there is a significant K'iche' presence due to migration in the late-19th and early 20th century. Cotzal also had long relationships with neighboring K'iche's in Uspantán. Today, the K'iche' make up 20% of the population. K'iche's are often referred by the Ixil as "Ula" or "Tzol", which means "visitor", although I have heard that these terms may also have a derogatory connotation to it. The historical influence of K'iche's in Cotzal is evident in its *corte* (Maya

traditional skirt), which is K'iche in origin, in comparison to the red *cortes* used in Nebaj and Chajul. There are also mixed families of Ixil and K'iche's.

Methodology and Shaping the Research Project

For this research, I used and was inspired by the methods and ethics of critical indigenous methodologies and activist anthropology/research. I am inspired by methods based on collaboration, reciprocity and respect that address the historical inequalities that exist between researchers and marginalized communities. Indigenous peoples, scholars and activists from various parts of the world have criticized academics, particularly anthropologists, in their role of appropriating, extracting and benefiting from indigenous cultures, identities, knowledges and peoples. There is a range of literature of proposed methods, theories and practices to confront the problems that exist with academics (Deloria, 1969; L. Smith, 1999). Activist anthropology/research was developed to challenge the colonial role played by anthropology/ists and "contribute to decolonizing the relationship between researcher and research subject" (Speed, 2006: 67). Charles R. Hale defines activist research as "a method through which we affirm a political alignment with an organized group of people in struggle and allow dialogue with them to shape each phase of the process, from conception of the research topic to data collection to verification and dissemination of the results" (2006: 97). Moreover, he describes activist research as having "dual loyalties – to academia and to a political struggle that often encompasses, but always reaches beyond, the university setting" (Ibid: 100). For Hale, activist scholars have to operate within two different worlds, each with their own "sets of objectives and forms of accountability" (Ibid: 105). This requires constant negotiation for the researcher in maintaining a balance between academia and the social movements they are involved with, each with different

commitments which are influenced on the positionality of the researcher. Commitments to the political projects of communities can shape the type of research we conduct and the ethnographies we write. Activist anthropologists also make it clear that these methods do not operate as a handbook and each researcher needs to develop their own methods catered toward their research project. While I draw research ethics and methods from activist research, at the time of this writing I do not consider myself an "activist" researcher. This is not a rejection to the work being produced in this field, which is important and valuable, but rather, I believe that the term "activist" within the US context is one based on privilege that is based on choice, and there are "activists" who risk their lives on a daily basis, not because they are activists, but rather they are struggling for survival. While others have claimed that my work is "activist" in nature, my research is based on other factors as well.

Drawing from the academic literature and life experiences, I was able to form my methodological approach in my attempt to reduce recreating epistemic violence as much as possible. I have called my own personal approach as "*compromiso es compromiso*" (commitment is commitment), in which during each step of my research project, from forming my research questions, to disseminating and sharing my work, to applying my research to support social movements in the area, to my dissertation defense, I have consulted various ancestral authorities and groups in Cotzal to best ensure transparency, reciprocity and respect. This included having periodic meetings with various authorities and community members to provide updates and written works, as well as to receive feedback. I have also self-financed community publications on multiple occasions to disseminate my work so people would be aware of the work I was producing. On March 19, 2017, I presented my dissertation to the ancestral authorities, community authorities of San Felipe Chenlá and members of the Ixil University. I decided long ago that before I could

defend my dissertation in front of my academic committee, I needed to defend and present it first in front of the communities of Cotzal. I was also able to invite two ancestral authorities of Cotzal to be present for my dissertation defense at the University of Texas at Austin (UT). The purpose of these actions is again to maintain transparency and respect, since I could not in good faith, write something that I could not say and defend in front of someone from Cotzal or the Ixil Region.

Often times, this process of community collaboration can be time-consuming, difficult and complicated since it involves achieving consensus from various people and communities. In western societies and in academia, it is just easier to have one representative to approve your work, especially when it involves obtaining letters and other documents for grant applications, presenting your work as collaborative ethnography, among other reasons. While publishing, translating, and then providing a finalized version of our written work to the people and communities we work with is a priority, it is also an easy answer for a more complicated and harder task of decolonizing academia. Having people critique your work from the beginning, and be involved in your research is complicated, but, it is necessary, needed, and more importantly the right thing to do. Engaged and collective work also produces enriching, rewarding and rigorous research. Each researcher has their own positionality that may make them more susceptible to violence and privileges, resources available to them, and specific context that shape the way they conduct their research, and conducting this type of research is not always possible. Thus, my experiences are mine alone, and I do not take for granted the privileges that I have.

Between 2011 and 2015, I conducted 90 individual formal interviews, 8 group interviews (with the number of participants ranging from 3 to 12 people), and countless informal interviews. These interviews included community leaders and members, teachers, students and staff of the Ixil University, the municipal mayors of Nebaj and Cotzal, members of the *Alcaldía Indígena* from

Cotzal, Ilom, Chel and Nebaj, migrants, ex-combatants, ex-gang members, among others. These conversations gave me a deeper understanding of Ixil and K'iche' culture, history, identity, spirituality, archeological sites, and the movement against megaprojects. Between October 2014 and November 2015, Enel denied various requests for an interview regarding the conflict in Cotzal and other topics.[1] Similarly, the finca San Francisco never responded to a written interview request presented August 2014, which I was instructed to draft by the administrator of the finca who said he would welcome me. Instead, I was required to leave my request with armed men at their gate when I arrived. I had previously visited the finca with two journalists in 2012, but this was a very intimidating experience in which a helicopter circled our car when we asked to talk to Pedro Brol, all while four heavily armed men were surrounding the vehicle. We were later received by Pedro Brol's son who had a pistol strapped in his holster and who said an interview would not be possible.

I arrived to Cotzal by accident. In 2011, I was awarded a grant to analyze the international legal concept of Free Prior and Informed Consent (FPIC) in Guatemala between an indigenous community and a hydroelectric dam. The grant was part of a multi-sited project coordinated by a lawyer in collaboration with UT. I was originally supposed to study a case in Alta Verapaz, but during June 2011 a judicial employee was assassinated in a violent manner. As a result, there was a state of siege declared and the lawyer coordinating the project informed me I could not go. Instead, he informed me of the possibilities of going to Cotzal where there was a conflict between

[1] In conducting research in Cotzal, Enel repeatedly denied my requests for interviews. Some of the documents cited in this dissertation, which were retrieved on Enel's website have since been deleted. On October 6, 2014, I emailed Werner Molina, External Relations for Enel Green Power, to formally request an interview with someone from the company after being recommended by the municipal mayor of Cotzal to contact him. The interview was to discuss the conflict in Cotzal, as well as issues regarding development and their Corporate Social Responsibility programs, among other topics. What followed were back and forth emails that would last over a year. During that time, the two main reasons given to me for denying me an interview were that those involved in the conflict in Cotzal no longer worked with the company, and later that 2015 was an election year and Enel reserved the right to not give out opinions, and perspectives. Molina did provide me via email with a report that discussed the impact of the 2013 agreement with the municipality of Cotzal as well as responses for five topics that I wanted to cover.

the communities and a dam in which dialogue had started. He had made a contact with another lawyer who was supporting the communities of Cotzal. At this point in my life I was unaware of what the "Ixil Region" was, or knew its history, after all my original dissertation project at the time was in Los Angeles working with Maya youth, and before that I was preparing to conduct research in Alta Verapaz. We headed to Cotzal and arrived a little late to a meeting between Enel and the communities of Cotzal.

After four hours of sitting in on the meeting attended by at least 150 people and in a tense environment, I was unaware of what was going on. I felt like I was eavesdropping on a random conversation and was confused. When the meeting was over, the two lawyers I arrived with quickly introduced me to two of the leaders involved in the dialogue, *don* Antonio and Baltazar. I do not know how long the introduction lasted, but it was amidst the end of the meeting in which everyone was moving around and trying to talk to these two leaders. It was an introduction lasting three or five minutes in which I was introduced as an anthropologist from the United States but that I was K'iche' (an identity I did not feel comfortable identifying with at that moment since I was still in the initial process of recovering my roots). The lawyers asked if I could conduct research in Cotzal. The two leaders said yes. The lawyers then asked, can someone house me? The two leaders said yes. The lawyers then asked, can you help him in his research? They said yes. With the affirmation of support, the group I came with immediately left for Guatemala City that very moment. They asked if I would be fine. I said yes.

I was left in a place I did not know, and among people I did not know. That night I slept on two wooden boards on some cylinder blocks, but at least I was sleeping under a roof. It was one of the loneliest nights I have ever spent in my life. I was way over my head at this point. By

the time I completed dissertation field research in November 2015, I left knowing that I always had a place to come back to in Cotzal.

That first research trip in 2011 lasted two months while living in the community of Santa Avelina. By the end of the research trip, I decided to change my dissertation topic from examining Maya youth in Los Angeles to working in Cotzal. I returned the following year and lived in San Felipe Chenlá for six weeks to present my work and asked permission and receive feedback among various leaders to conduct my dissertation research there in 2013. This included asking leaders of San Felipe Chenlá and the *Alcaldía Indígena* to help develop and shape research questions and topics. They were more interested in history, and thus shaped my inquiries in that direction which ended up focusing on an analysis on the Four Invasions. Dissertation field research lasted a total of twenty-six months (October 2013 – November 2015) and included living in San Felipe Chenlá and visiting the majority of the communities of Cotzal, and various communities in Nebaj and Chajul. I also conducted research in Totonicapán as a *consultoria* for an NGO that worked in forestry and agriculture, as well as research on migration and deportation in a municipality in the department of Quetzaltenango for ten weeks in 2016. These two experiences have provided further insight on community politics and power dynamics, agriculture, and comparative regional histories.

Since arriving to Cotzal in 2011, I have been able to work with and accompany various groups and organizations as well as serving and contributing in different forms. I had close contact with the *Alcaldía Indígena* of Cotzal and supported their efforts in various forms such as accompaniment, documenting their work at their request (photographs, recordings, etc.), as well as helping publish their collective work on the struggle against Enel. I accompanied and organized three separate visits of Ixil leaders to Austin and Los Angeles in order for them to spread awareness

and garner international support for their movement. I was able to travel with the ancestral authorities from the Ixil Region on various occasions to different meetings in Guatemala City such as a meeting with Thelma Aldana who was the Attorney General and head of the Public Ministry (MP), the inauguration of Gloria Porras as the head of the Constitutional Court, the head of the *Procurador de los Derechos Humanos* (PDH) Jorge Eduardo De León Duque, and the *Coordinadora Residente del Sistema de Naciones Unidas* Valérie Julliand. I also participated in press meetings to announce actions being taken against hydroelectric dams in the region. I had close contact with local leaders in various communities throughout the region, especially with community leaders in San Felipe Chenlá since that is where I resided during my research. I would attend their meetings, and learned about their work, whether it was patrolling, resolving community conflicts or mapping their community using land titles, GPS, and traditional markers such as trees. I was present for the inauguration of the Ixil University in 2011 and have worked actively with them since 2013 as a tutor where I helped students on their final thesis project, teaching courses as a facilitator, and serving as a liaison to UT (see Chapter 5). I also had the opportunity to secure funds from the Rapoport Center and LLILAS at UT to take a delegation of students and leaders to the National Police Historical Archive (AHPN). I also gave English classes in Santa Avelina and San Felipe Chenlá, participated in workshops on immigration (see Chapter 4), among other activities that were useful in exploring other topics that will emerge throughout the work. I documented and participated in protests and blockades in Cunén and Guatemala City during calls for President Otto Pérez Molina (2012-2015) to resign in 2015, and calls to annul the Monsanto Law in 2014. I was also able to grow corn and plant some chilies and tomatoes trees, as well as accompanying others in agricultural work. I did not do this enough to say I have any expertise, but it was a very informative and a spiritually enriching experience. I became a

Guatemalan citizen in 2015 by reaffirming my birthright through my parents, which had various political and social implications as well as exposing me to Guatemalan bureaucracy. It was in the Ixil Region that I also learned to ride a motorcycle, which allowed me to travel to communities as well as experience firsthand the difficulties and dangers bad roads have on vehicles and public safety.

My biggest regret conducting field research is not being able to learn to speak Ixil. While I learned a few words and phrases, it was not enough to conduct interviews or have a basic conversation. It is crucial for researchers to learn the language of the people they are collaborating with. I also have tried on multiple occasions to learn K'iche', but I have also been unable to have a strong command of the language. While I recognize this drawback, I believe that the interviews conducted in Spanish and living in Cotzal gave me an extensive worldview and life at the local level.

I conducted extensive archival research in the *Archivo General de Centro America* (AGCA) in Guatemala City and *Segundo Registro de la Propiedad* (SRP) in Quetzaltenango as well as accessing other documents at AHPN and other sources. I was not given access to documents at the municipality of Cotzal, although I am aware of their existence. These sources have been important in reconstructing the history of Cotzal.

Positionality

I am the son of working-class Guatemalan immigrants and the paternal grandson of K'iche's, who was born and raised in Los Angeles. At times, people did not know what I was doing in the Ixil Region and would look at me in confusion, as if I was an anomaly. Some wanted to know why I looked like them but I did not sound like them, by that they were referring to my

slight accent speaking Spanish. After explaining to them my family's history, there were some that said I was K'iche' while others viewed me as a kaxlan or gringo. In one instance, I was with a community leader who presented me to some municipal officials by saying "*antes era K'iche', pero ahora es más gringo que todo*" ("he used to be K'iche', but now he is more gringo than anything else"). I recognize that I enjoy a level of privilege as a heterosexual male and my nationality as a US citizen in that I could leave Guatemala whenever I wanted to as well as not fearing deportation once in the US. At the same time, I do not enjoy the same gringo privilege as some of my Euro-American counterparts. I have been discriminated in the US and Guatemala in various forms and spaces. In some occasions, people believed that I was a teacher, a priest, a tour guide, or an NGO worker. This uncertainty could be an "asset" and sometimes a "liability". While walking back from a community with two friends where I had attended an exhumation a few weeks before, two men passed us and said something in Ixil. My two friends looked alarmed and later they told me they said something along the lines of "*roba huesos*" (bone stealer). Due to my long hair that I had during my field research, people referred or called me by a few nicknames (because everyone has a nickname) such as *Jesús*, *Machete*, or *Renegado de Cotzal* (when I was on my motorcycle). At other times, kids would yell things at me when I was clinging on to a microbus, or walking down the street. My personal favorite was when I was walking and a kid, maybe 4 or 5 years old, ran past me and said, "*adios don Rambo!*", surely in reference to my hair and not my body type.

Living in Cotzal was a rollercoaster of emotions. As ethnographers, we come to realize that you cannot learn how to conduct ethnography in the classroom nor texts and we are at times unprepared for the emotional and dangers involved in conducting field research, especially in areas characterized by conflict. No one ever prepares you of how to deal with threats, with the potential

of the threat of a threat. I have felt rage, depression and anger upon witnessing first-hand the inequality that exists in the communities of Cotzal. I am also inspired by the work that these communities have continued to do for the last five centuries. It is not to romanticize the Ixils, but to humanize the words and pages that follow throughout this dissertation.

Conducting field research and engaging in in-depth ethnography in the Ixil Region has been the most challenging, rewarding and tumultuous experience and work I have ever done. As I returned to Austin, I experienced a post-fieldwork trauma after being in the field for 26 months. This trauma is a result of working and researching in an intense environment that has historically suffered violence, injustice, repression and displacement. Witnessing the blatant injustices and inequality at times was unbearable and I suffered mental, nervous and spiritual breakdowns. I mention these experiences not to garner sympathy, but rather make visible the pain and real world emotions that some ethnographers and researchers confront. These experiences are what enriches our work and creates deep relationships with the people and communities we collaborate with. These experiences, as others have demonstrated, are shaped by our positionality. Thus, my positionality is an attempt to be self-reflexive rather than self-obsessive.

Trauma and Violence of Fieldwork: Taking Notes with our Bodies

I saw don Sebastian in Nebaj the day before he was brutally murdered. I was heading out to Xela to do archival work and he was selling his nets at the bus stop. He was there for a *mandado* (errand) since he was the representative of the Committee of Victims in his community of San Antonio Titzach, Cotzal. He was a 68-year old spiritual guide, community leader, survivor of massacres, and a well-respected and beloved friend of many. There are things about his death I prefer not to write beyond that there have been various motives associated with his assassination

ranging from political, to family problems. In my view, it was a political and discriminatory murder. He was a *Principal* of the *Alcaldía Indígena* of Cotzal. Many academics have told me to write about his death in detail, but I believe that doing so runs the risk of commodifying his death. All I will write for now is that it brought the people around him and myself great pain. He did not deserve to die. I was not there to see his dead body, but I did see the pictures. It gives me great pain and I broke down in tears various times writing these lines. Memories are powerful. Memories can empower and they can also haunt us throughout our lives.

Other leaders I know were threatened with violence, some with death threats during and after I conducted fieldwork. In May 2015, Baltazar de la Cruz Rodríguez, a member of the *Alcaldía Indígena*, received four death threats, two of which the perpetrator tried to kill him. On March 19, 2016, Concepción Santay Gómez was attacked with a machete and wounded in an attempt on his life. There are others not mentioned here who have also experienced persecution and threats in Cotzal.

While nowhere close or near the scale of what the people mentioned above felt or experienced, I was threatened indirectly and directly (at least once) while conducting fieldwork, and there was always that threat of a threat looming in the background after a certain amount of time. In July 2011, one of the alleged *orejas* of the finca San Francisco and store owners that catered to Enel's employees came up to me half-drunk, and while firmly shaking my hand one early morning and said "*vos sos, el enemigo de la empresa*" ("you are the enemy of the company"). In another instance in June 2015, someone threatened my friend and me with physical violence while we were talking inside a store, and criticized us for "being against Enel", collaborating with the *Alcaldía Indígena* and "guerrillas", as well as insulting me directly for my research and living in Cotzal. In April 2015, my brake lights on my motorcycle were intentionally cut, and to this day

I do not know the motives behind this (whether it was politically motivated or random delinquency). Some thought I was being too paranoid, and that is exactly what in-depth fieldwork in the Ixil Region does to you at times. Again, my experiences are in no way comparable to those experienced by leaders of Cotzal, and at no point in my field research did I ever feel as my life was in danger. Returning to the US was a very difficult process and I mention this to begin to break a silence that too often exits working in conflict-ridden areas. As researchers and ethnographers, we do not just take notes in our notebooks, we also do note taking with our bodies. The emotional scars never go away, and admitting these or developing mental illnesses is often seen as contradictory to intellectual production. It is not. As someone who has experienced racism on both sides of the border, I was able to relate my experiences of being racialized as inferior with the people in Cotzal. I could talk about being looked as a delinquent in Guatemala City, or how people looked at me in places I should not be in, such as an archive. Many understood that discrimination.

The politics of trauma and the perception of those who live with it is captured by Angela M. Carter (2015) who writes:

> trauma must also be understood as unequivocally political. As with all disabilities, living with trauma means negotiating life in a world established by and for bodyminds that do not experience the affect of trauma. The sociopolitical inequalities surrounding race, class, gender, and citizenship undoubtedly shape the unequal access to healthcare and other resources needed to live with and/or through trauma. In fact, the ability to be recognized as a person living with trauma is in many ways a political privilege. Furthermore, while traumatic experiences can certainly be accidental, the vast majority of potentially traumatizing experiences are rooted in systems of power and oppression. The

> forces of racism/white supremacy, colonization, and global capitalism continuously instigate enumerable violences worldwide (6).

Thus, exploring trauma and violence can serve as a space of intellectual production and an analysis of power relationships. When a woman faints, or has a nervous breakdown just by seeing the military as occurred in San Felipe Chenlá in 2011, that is a physical manifestation of centuries of abuse and violence at the hands of the military. Fear, trauma, pain cannot and should not be quantified. I try to the best of my ability to use these sentiments to better inform my analysis as opposed to create biases or obscure my judgement.

There are some things I have chosen not to write about that I feel would betray the trust of people who have placed trust in talking to me, as well as not things related to the sacred and spiritual. Each researcher is charged with developing their own research ethics shaped by a variety of factors. These include airing out "dirty laundry", or information that may place someone at personal risk. It is information that is not necessary for my overall arguments and analysis.

The fact that this document is written in English and by one individual is a testament to the colonial nature in the production of knowledge and epistemic violence through the academe. At the end of the day, we can claim that we are collaborating with communities and while they can give us their virtual or symbolic stamp of approval, we are in control as individualistic academics motivated by neoliberal capitalism that promotes a system of competition and production of knowledge. I do not pretend to be perfect, but rather, an imperfect academic subject that recognizes his faults due to his positionality and attempts to produce a rigorous study through data that transcends numbers that does justice to the people I am working with. This is not a cynical or fatalistic view, but rather, a keeping it real view of reality, my reality, my interpretations of the realities of the people I served, worked with and collaborated with in real life. The following

document is a result of what I experienced, inspired by my mind, guided by my heart, and fueled by a collective spirit characterized by injustice, resistance, and a pursuit for social justice.

Outline of Dissertation

The dissertation consists of five chapters. Chapter one is a historical interpretation of the Ixil Region through the first three invasions, which emphasizes a local narrative and focuses on different time periods in contrast to traditional national narratives and division of time. Chapter two looks at the social and political context of the Ixil Region after the 1996 Peace Accords and the arrival of megaprojects, which forms the Fourth Invasion. Chapter three examines the movement against megaprojects in the Ixil Region by presenting the case of Cotzal and the conflict with Enel. Chapter four explores the concepts of *tichajil* and *el vivir mejor* by focusing on the issues of migration and displacement, particularly to the US. Chapter five provides a critique of formal state-based educational system as well as the work of the Ixil University that seeks to decolonize knowledge.

The Power of Language

In this work, I do not use terms such as "Ixil Triangle", "shamans", and other terms and labels that are deemed problematic and disrespectful. For example, while many use the term "Ixil Triangle", this is a militarized term that was imposed on the region and made popular during the war. Many Ixils and K'iche's find the term disrespectful, and some are quick to correct people who use it. While many academics use this term, some are unaware of its origins, and the power of language is important to take into consideration. Recent terms such as "Northern Triangle" to describe the Central American region that consist of Guatemala, El Salvador and Honduras, is

another example of viewing the area as a war zone that needs foreign intervention, particularly from the US, to rectify its problems. Thus, some of these words listed above are only used when citing primary or secondary sources.

CHAPTER 1: A HISTORY OF INVASION IN THE IXIL REGION

Across Abya Yala/the Americas many indigenous groups claim that the arrival of megaprojects, which are mainly constructed and built by European and North American companies, is a new invasion. Local and indigenous interpretations of history view this new invasion as part of a larger cyclical history of foreign intervention based on extraction, whether it is natural resources, tribute, lands, people and/or knowledges. Counternarratives of history have long existed within communities in the form of oral traditions and histories, which are invisibilized within "official" state-sponsored history that privileges Euro-western history and linear conceptions of time. In Cotzal the arrival of megaprojects is viewed as the Fourth Invasion, and a historical presentation of previous invasions reveals why they have this perspective.

In this chapter, I provide the histories of the First, Second and Third Invasions, which include, Spanish Colonization, the arrival of fincas, and the Guatemalan Civil War, respectively. Chapter 2 will be a more detailed look at the Fourth Invasion. The first two invasions presented here are mainly based on archival resources due to the limited oral histories surrounding these periods. The Third Invasion includes mainly secondary sources to illustrate the violence of the civil war.

The Four Invasions is a concept that attempts to capture certain characteristics from various historical eras, from open revolt to everyday forms of resistance, and direct state and military repression to legal oppression in the form of forced labor. Traditionally, Guatemalan history has been imposed and taught from a nationalistic, ladino and Euro-centric narrative that seemingly goes unchallenged. Too often and without question, historians utilize the same Gregorian years (1524, 1821, 1871, 1944, 1954, 1960, 1996) to describe and place into historical context local Guatemalan history. While these dates are relevant at all levels, local and indigenous histories

become overshadowed and forced to comply with these overshadowing dates that at times do not properly represent local context and realities. Throughout this chapter, I privilege local and regional histories to mark the uniqueness of the struggles of the Ixil Region. My goal is to examine the historical and structural violence based on extraction of natural resources and the commodification of people and lands carried out by a colonial state and government, and of which continues to plague the Ixil Region for the benefits of foreigners and non-Ixils.

First Invasion

Traditional educational textbooks and history teaches us that the Spanish arrived and defeated the indigenous populations in a very romantic and heroic manner that justifies their invasion and their repressive practices of Christianization and subjugation to the Spanish Crown. This dominant narrative is celebrated yearly on Christopher Columbus Day. The images burned into popular memory is that of Hernan Cortes entering Mexico and defeating the Aztecs since the Spanish with only hundreds of men since they were superior and more civilized on all fronts. From there, colonization of the rest of the "Americas" seems to be viewed as a done deal and portrayed as inevitable. Others have demonstrated the manner in which Colonization was a brutal, long and continuing process. Resistance has been a persistent trait of life among the Maya since the first Spanish invaded the Mayab' (place where Mayas live). Maya resistance against the Spanish manifested itself in multiple forms. From outright rebellion and revolution such as in Chiapas in 1712 and Yucatan in 1761, to practicing cultures, rituals, identities and traditions even with the threat of violence, displacement and persecution (Patch, 2002: 14). The Ixil have been known in Guatemala as one of the most resistant groups and their struggles today are well known at an international level.

The Ixils trace their origins back to Ilom which they label as the "birthplace of the Ixils". Many claim that they are descendants of Lacandons. From Ilom, the Ixils then settled to the three pueblos of Chajul, Cotzal and Nebaj. According to the Ixils the three pueblos of the area are three brothers with Chajul being the eldest, Cotzal in the middle and Nebaj as the youngest. My guess is that this may have to do with the time that each pueblo was founded. Another narrative was given by a woman from Uspantán who said that Uspantán and the three pueblos of the Ixil Region were four sisters. This is an important outlook due to Cotzal's relationship and alliance with Uspantán during the Spanish invasion and with the recent arrival of Palo Viejo, which impacts Uspantán at a larger scale.

The First Invasion of the Ixil Region occurred through the violent arrival of the Spanish and Europeans, who were aided by other "conquered" indigenous peoples. There are only a few authors who have written on the Spanish Invasion of the Cuchumatánes, especially in the Ixil Region (Lovell, 1992; Patch, 2002). Reconstructing the history of the Ixil Region is limited due to little written records from primary sources.

Pre-Colombian Ixil Region and Archeological Sites

Archaeological work in the Ixil Region and the Western Highlands is difficult to conduct for a variety of reasons and one of the main reasons is that people live on these lands. Archaeology in Guatemala is heavily concentrated in Petén, particularly within the National Park. While the Guatemalan State celebrates Maya civilizations, and has appropriated their culture within its national building project, they view living Mayas as inferior and do not view them as the descendants of the Mayas in Petén. In addition, some living Mayas are hesitant to allow archeologists to conduct work on their land in fear that this may be expropriated. Under

Guatemalan law, all monuments and archeological artifacts found becomes the "inalienable property" of the Guatemalan State (Valdés, 2006: 96). Thus, there remains little archaeological work conducted in the Ixil Region (Becquelin, Breton and Gervais, 2001; Smith and Kidder, 1951). Many of these archeological sites are from the late Classic and Post Classic era and are located in many of the more important settlements of each pueblo.

In Cotzal, the Ixils who arrived there are said to have settled first in Cajixay where at least two or three large archeological structures are located. Cajixay is also said within oral tradition to be the first settlement of people in Cotzal. Cajixay is also the location of many springs, mountains for protection, and a lot of trees. According to archaeologist Adriana Linares, there are fourteen registered archaeological sites within the *Dirección General del Patrimonio Cultural y Natural* and at least eleven more sites that are unregistered, although there can be more for the latter (personal communication).

Almost all of these sites have been looted. The Brol family, outsiders and ladinos have been accused of stealing and looting many of these artifacts, which has also impacted the possibility of conducting research. There is a museum in Nebaj with archeological pieces and owned by a ladino Pastor that is allegedly consisted of collections of artifacts that were looted and sold to the owner. Some of these pieces at the museum do not have basic information such as location found due to the nature in which they were acquired. Recently, dams have threatened many of these archaeological sites, and while there are supposed to be studies conducted on the archaeological value of the lands that are to be impacted, some Guatemalan archaeologists have confessed to me that these are usually conducted by people who sign off on anything since they receive a large amount of money for these reports.

Spanish Invasion and Resistance

There are few authors who have written on the Cuchumatánes and the Ixil Region during the colonial era (Lovell, 1992; Patch, 2002). Among the best work on the Spanish invasion and colonial era is George Lovell's classic *Conquest and Survival in Colonial Guatemala: A Historical Geography of the Cuchumatán Highlands, 1500-1821* (1992). Lovell traces the cultural and social impact that the Spanish Invasion and subjugation had on the Cuchumatánes.

Unlike the case with the Aztecs in Central Mexico in which colonization was made "easier" due to centralization, the Spanish Invasion/Conquest of modern Guatemala began in 1524 and was viewed as more difficult to conquer due to the political fragmentation of Maya communities that existed at the time of their arrival. Pedro de Alvarado was given orders by his commanding officer Hernan Cortes to invade Guatemala (Lovell, 1992: 58). Alvarado began his campaign in February 1524, which consisted of "120 cavalry, three hundred infantry, and several hundred Mexican auxiliaries from Cholula and Tlaxcala" (Ibid: 58). He went on to defeat the K'iche' in Quetzaltenango and Utatlán, the Kaqchikel, and other opposing groups.

According to Lovell, the Spanish invasion of the Cuchumatánes, and against the Mam and Ixil, occurred between 1525 and 1530 in three military campaigns in at least seven battles (Ibid: 60). After the Mam and their allies in Zaculeu fell in 1525, the Spanish ignored the Ixils and Uspantec, which were viewed as "too isolated and insignificant" at the time to invade. These sentiments changed when the Uspantecos began uprising against the Spanish (Ibid: 64). Lovell states that the first attempt to conquer the Ixil began in September 1529 under commander Gaspar Arias who was able to take Nebaj and Chajul, although no details are provided on this control (Ibid: 64-5). After Arias had to return to the capital due to personal matters, another commander, Pedro de Olmos, took over and led an assault on Uspantán and was later forced to flee back to

Utatlán. A second expedition started a year later under the command of Francisco de Castellanos who led a force of "eight corporals, thirty-two cavalry, forty infantry, and several hundred Indian auxiliaries (Ibid: 65). The Spanish first confronted the warriors from Nebaj and their allies who numbered between four and five thousand. After a battle, the fighters from Nebaj retreated to their town. The Spanish and their indigenous allies were able to enter the town where they forced Nebaj to surrender and then branding and enslaving the surviving fighters as a form of "punishment for their resistance" (65-6). Upon hearing this news, Chajul surrendered without fighting. Cotzal joined Uspantán and other allies from Cunén, Sacapulas and Verapaz and reached a force of approximately ten thousand. While they fought the Spanish, the Spanish eventually defeated them and subsequently branding and enslaving surviving warriors (66).

As it is well documented, "Old World" diseases caused massive deaths to indigenous communities even before the Spanish Invasion. While there are no exact figures on population size or the amount of deaths caused by disease such as smallpox and pulmonary plague and warfare, estimates range that about one-third or one-half of the indigenous population died in the highlands (Ibid: 70-72). Lovell (1990) claims that "it took the Cuchumatán population more than four centuries to replace itself".

Due to the difficult access, location and the lack of silver and gold that the Spanish were searching for, the Ixil Region was not settled by the Spanish and outsiders until the end of the 19th century. This is in comparison to Kaqchikel and K'iche' territories such as Xela, Tecpán and Antigua, among the new centers of power that the Spanish established during the colonial era. According to Benjamin Colby (1976), the "impact of Hispanic culture was much less drastic for the Ixil than for almost any other Maya group" with the exception of the Lacandons (78). The Ixil Region was "virtually autonomous" until the late 19th century when ladinos and outsiders began

settling the area (Ibid). Access to the Ixil Region was also made difficult due to bad roads, which made it difficult to import and export products and there was little cattle and sheep ranches (Patch, 2002: 185). Thus, there were very little economic incentives and presence of outsiders during the colonial era.

The difficulties of the Spanish travelling and arriving to Nebaj was highlighted by Archbishop Pedro Cortés y Larraz who wrote in 1768:

> Desde el pueblo de Santo Domingo Sacapulas al de Santa María Nevah [Nebaj] hay ocho leguas, rumbo de sur a norte. El camino es el pésimo que puede imaginarse. Los indios de Nevah acudieron al pueblo de Sacapulas con sillas de mano para toda la familia, diciendo: que no podía pasarse a su pueblo de otro modo. Las montañas que habían de pasarse estaban a cien pasos de Sacapulas, y me mostraban sus sendas para que viera que eran intransitables, con todo, y por la grande repugnancia, que siento a ir en silla, considerando que es ajena de mi estado, me obligó a perseverar en la determinación de ir en mula, o a pie, no obstante, que me decían que era imposible el ir en mula y más imposible a pie…Luego que se sale de Sacapulas, se cruza el rio...mui caudaloso; se pasa por unos maderas mal colocados, con seguridad, pero a pie, inmediatamente se emprenden subidas y bajadas muy violentas (2001: 313)

Upon arriving to a ranch, the road was so bad that the archbishop was forced to get off his mule. He continues by summing up his experience:

> Sería narración molesta describir por partes el camino, pero en suma todo él es una senda angosta con ciénagas, sartenejas, y empalizadas en donde se hunden las mulas hasta las cinchas; lo poco que hay de camino firme es de tierra muy resbaladiza…los pobres indios

andan sumergiéndose en el barro hasta las rodillas y resbalando mui frecuentemente, sin poderse ayudar competentemente unos a otros, por lo angosto que es el camino (Ibid)

It was during this visit that the Archbishop recognizes the difficulties that priests have in being successful in the Ixil Region.

Displacement and Congregaciones

After the initial invasion, the "spiritual conquest" through Christianization by priests would begin in the late 1540s through the creation of *congregaciones* (Lovell, 1992: 77). These *congregaciones* were characterized by the forced resettlement of various communities in the highlands to centralized locations that would later form the municipios and towns of today. This included constructing a church, housing for the local priest, and building a plaza (Ibid). The purpose of these *congregaciones* was to Christianize indigenous communities, as well as centralizing them as an efficient way to collect tribute and the control of labor. Some of these towns were constructed on existing sites or places close to it. As a result, of the *congregaciones*, many Ixil communities were displaced from their communities and forced to move and relocate to centralized locations in the town centers of what are known today as Chajul, Cotzal and Nebaj.

The *congregaciones* that existed in the Ixil Region were documented by Domincan friar Antonio de Remesal who writes about the Ixil Region:

En la sierra de Zacapulas, [Chajul], allí se juntaron a petición de los padres fundadores del convento, por orden y diligencia del licenciado Pedro Ramírez de Quiñones, los pueblos de [Juil], Boob, [Ilom], Honcab, Chaxa, Aguazap, Huiz, y otros cuatro, y cada uno destos tenía otros pueblezuelos conjuntos como sufragáneos. Al pueblo de Aguacatláln, [Nebaj]

se juntaron Vacá, Chel, Zalchil, Cuchil, y otros muchos más de doce. Al pueblo de [Cotzal] se le juntaron Namá, Chicui, Temal, Caquilax, y otros muchos (Remesal, 1964: 178-9).

These *congregaciones* formed *parcialidades* within the town center, but of which also maintained their own community identity and in some cases paid their tribute directly to the Spanish and had their own land rights (Lovell, 1992: 81-82). Some of these *parcialidades* exist today as both locations within the three town centers such as Zalchil in Nebaj, as well as their original community such as Namá in Cotzal and Ilom in Chajul. Lovell states that it is not known whether or not the original sites were resettled by people once the towns increased in population or if they were resettled by those who refused to pay tribute or avoid providing labor for the Spanish (Ibid: 222n23).

One of the best examples of these relocations include the community of Ilom who were located north of the town center of Chajul and neighbored the Lacandons who would raid the communities. The people were settled in the center of Chajul and they were placed in front of the Catholic Church. Yet, while forcibly resettled, some returned to Ilom. Today, the largest *cantones* in the town are called Ilom and Chajul and people are conscious of these limits, which is divided by the Catholic Church. Those who live in front of the church are in canton Ilom, and those behind it live in the canton of Chajul. In Nebaj and Cotzal, there were also resettled communities which are evident through the names of certain cantones in the town centers such as Zalchil (from Salquil Grande).

Missionaries attempts to penetrate the Ixil Region began in the late 16th century and were conducted by priests who operated from Sacapulas and who did not have a permanent residence there (Colby, 1976: 78). Dominican Friar Eusebio Guerra was the parish priest in the 1760s and

appointed Diego Sánchez as a fiscal to force people, at times using physical punishment, in attending Sunday Mass and that children attended catechism (Patch, 2002: 187).

In 1768, Friar Antonio Toledo and Friar Guerra wanted to remove Miguel Matón as the head of the cofradia of Our Lady of the Rosary, and intervened in local elections to gain influence. There were two factions that emerged, one supported by the Friar's and another supported by people of Nebaj and Chajul who also feared the priests' intervention since they all existed under the same parish as well as having issue with their selection of Miguel Laynez for the post of junior magistrate (Patch, 2002: 188). As a result, two sets of elected officials for the posts of senior and junior Indian magistrates went to "Chiantla to have their elections confirmed by the royal high magistrate, or alcalde mayor, of the province of Huehuetenango-Totonicapán" (Ibid: 188). Friar Guerra was consulted by the *alcalde mayor* (senior mayor) Juan Bacaro, and selected the pro-priest faction of Clemente Ramírez (senior Indian magistrate) and Miguel Laynez (junior Indian magistrate). Afterwards, the new officials tried to remove Miguel Matón from his post (Ibid: 188).

The losing faction contested this decision and went to speak with Felipe Romana, the attorney general of the audencia, on February 18, 1768, and who were given a letter to take to Bacaro in order to hold new elections. The people who were charged with the letter included a "village scribe Francisco Guzmán, [who] knew how to read…only his native tongue," decided to open the letter and read it (Ibid: 189). The messengers could not read it so they took it to a ladino in Nebaj, Pedro Quezada, "who could read Spanish and speak Ixil" and along with Francisco Guzman translated. But, according to Patch, the letter was translated incorrectly since they "concluded that the dispatch had given them the right to depose the undesirable village magistrates and to put their own people into power (Ibid). Consequently, an open revolt began in Nebaj February 23 and led by *Principales* (ancestral, traditional authorities) (Ibid: 189, 194-5). Some of

these leaders are reported to be people in their sixties, and included a *Principal* who was estimated to be ninety (Ibid: 195).

The Indian magistrates were removed from power with Miguel Laynez being arrested. Friar Toledo was later driven out of Nebaj with rocks by the women of Nebaj. Bacaro sent a force of fifty men to end the revolt as well as sending a letter to Chajul and Cotzal telling them not to join Nebaj (Ibid: 191-2). Bacaro's lieutenant, Carlos Joseph Guillén, led a force and ordered "the Indian magistrates of Chajul and San Juan Cotzal to provide twenty-four mules or horses each so that the militia soldiers could go mounted", an order they refused to carry out. The people in the revolt were arrested in Sacapulas when they were on their way to Totonicapán, and even more were arrested when Guillén took control of Nebaj. In total, there were forty-seven prisoners. The case was later investigated by a judge who found the leaders of the revolt guilty and ordered to be whipped. There are no documents that inform us about the fates of the leaders, other that they were jailed for at least six months. The case demonstrates the ways in which religion and politics overlapped within indigenous communities, and how interference in local politics could lead to revolt.[2]

Tribute

While there were few economic incentives for the Spanish to settle in the Cuchumatánes and the Ixil Region, the Spanish profited from their domination in the form of tribute. It is also through tribute that the Spanish documented the number of people and families that existed during different eras as well as documenting the various waves of illnesses and diseases that would

[2] Dunn (1995) also conducted research involving Ixil women who in the 1790s protested against the priest who transferred the cemetery from the Catholic Church to another site on the outskirts of town as a form of disease control.

continuously impact indigenous communities across the Americas. Tribute was paid with various products such as salt, beans, chickens, honey, corn, chili, cotton, as well as labor known as *indios de servicio* (Lovell, 1992: 97-99).

Lovell (1992) reports that given little archival data, it is unclear of the exact history of the encomienda and tribute in the Cuchumatánes (96). Yet, he shows that by 1549, there were 35 tributaries from Nebaj who had to pay to the encomendero Francisco Sánchez Tamborino in the amount of "2 *fanegas* of corn", "3 dozen chickens', and "4 *indios de servicio*" (Ibid: 98). By early 18th century, encomiendas were viewed as unprofitable and tribute and payments were made to the Crown thereafter (Ibid: 99). A tributary was "classified as a married Indian male between eighteen and fifty years of age, together with his wife and children" and "widows, widowers, and unmarried adult males and females were defined as half-tributaries" (Ibid: 101). People considered as "reservado" were exempt from paying tribute and included leaders, their eldest sons, children, the elderly, the sick and those who worked with the Catholic Church (Ibid: 102). Tribute was paid twice a year on June 24 (*tercio de San Juan*) and December 25 (*tercio de Navidad*). Tribute was collected by indigenous alcaldes or *corregidores* (mayors), and failure to do so led to their imprisonment or punishment.

Archival documents from the AGCA demonstrate the types and amount of tributes that the Ixil had to pay, as well as the problems that they encountered such as, the inability to pay due to diseases, natural disasters and other unforeseen event that impacted agricultural production. In 1703 Cotzal, there was a *tasación de tributo* (tribute assessment) which documented the amount of tributes that could be legally collected:

> Mandaban…que seis indios casados tributarios enteros, dies [sic] casados con indias de otras parcialidades, cuatro viudos, un soltero, y diez indios casados con indios de otras

> parcialidades que son los tributarios porque por ahora queda tarrada la dicha parcialidad de San Marcos den y paguen por su tributo de aquí a adelante sesenta y quartro [sic] tostones (Archivo General de Centro América [AGCA], A3.16 40.780 2813)

In 1812, there were reports that Cotzal was unable to pay tribute due to the illness of "*peste reinane*" (AGCA, A3.16. Leg. 2900 Ex. 43.178). As in other indigenous communities, there was resistance towards paying tribute in the Ixil Region (Patch, 2002: 186). As a result of having to pay tribute, coupled with abusive colonial officials, some Ixil fled and lived in the mountains as "fugitives" (Cortés y Larraz, 2001: 313-318).

Land Tenure[3]

After reviewing various archival sources, it seems that there were no official, state issued land titles given to Cotzal until the ejido (communal land) in 1885. According to the *Índice General del Archivo del Extinguido Juzgado Privativo de Tierras Depositado en la Escribanía de Cámara del Supremo Gobierno de la República de Guatemala* written by Juan Gavarrete y Cabrera in 1863, Cotzal "No tiene títulos. Los mojones que reconoce tradicionalmente pueden verse en el título de Chimulaj y Magdalena" (Palma Murga, 1991: 128). A report at the AGCA entitled "Sto. Domingo Sacapulas, 'Chimulaj-Magdalena,' Quiche, 1877" (AGCA, Sección de Tierras [ST], Quiché, P. 3 Ex. 1) has documents dating back as early as 1807 that covers, as the title suggests, the areas of Chimulaj and Magdalena. Documents from the early part of the 19th century detail how the residents of these areas requested that these lands be measured and state that their borders touch those of Chajul, Cotzal, Nebaj, Sacapulas and Uspantán (Chajul does not touch these lands in

[3] Throughout this chapter and the rest of this work I use Guatemalan land measurements. One *caballería* is approximately 110 acres or 64 *manzanas*. One *manzana* is approximately 1.7 acres, or 10,000 *varas cuadradas*. One *cuerda* is approximately 0.3 acres (Handy, 1994: 245).

actuality and its reference is not clear). As a result, the people measuring the land limits requested that the neighboring towns present themselves "with their respective titles" (Ibid, translation mine). The surveyors learn "El veinte de Febrero contestaron los pueblos de la Sierra Nebaj, Chajul y Cotzal, que no tienen títulos, ni pleito para que [recurrir] y que se hallan ocupados…" (Ibid). The alcaldes of Cotzal presented themselves on February 25, 1807 to the surveyors who noted:

> En el misma día comparecieron los alcaldes del Pueblo de San Juan Cozal [sic], Juan Lopez y Juan Rodriquez con su escribano Juan [Toon], y dijeron que no comparecieron antes, por no tener títulos, ni tierras que disputar, que son mojones del sur en la cumbre de la sierra los de Oriente la medianía del camino de Chajul los de poniente la medianía del camino de Nebaj, y los del Norte no tienen termino, porque son montanas incultas, que no conocen, ni tienen vecindario (Ibid)

The alcaldes of Chajul and Nebaj also presented themselves, and in the same manner declared that they did not have any land titles.

While there seems to be no mention of official land titles within the archive, there are at least three references regarding a "*convenio antiguo*" (ancient agreement) written in the language of the Ixils found in the AGCA. Of the three, this document is mentioned and only transcribed in the report on the ejidos of Cotzal and dates back to November 21, 1623. At the time, the surveyor of the ejido of Cotzal, Carlos Rosal, documents the following during a conflict surrounding the territorial limits of Pulay, which was being claimed by both Cotzal and Nebaj:

> este documento tan antiguo como confuso y que su original está escrito en idioma de estos indios consta un convenio de mojones entre los de Cotzal y los de Chajul y Nebaj…Continúe con dirección hacia el siguiente mojón nombrado "Pulay" donde nos reunimos con la municipalidad y principales de Nebaj quienes me presentaron el título de

> sus terrenos el cual consta de novecientos setenta y un caballerías y la medida fue practicada a fines del uno de mil ochocientos setenta y ocho y a principios del setenta y nueve por el Agrimensor Don Felix Vega y revisada por el Ingeniero Civil Don Alejandro Prieto...[Los de Cotzal dijeron que los títulos] era falso, que jamás habían dado su consentimiento al Agrimensor Vega; que por el contrario habían ido a quejarse varias veces de verbal al Señor General Presidente a su tiempo y que siempre protestaron al mismo Agrimensor contra su procedimiento sin hacer caso de tales protestas y que por ese motivo habían destruido el mojón (AGCA, ST, Quiché, P. 3 Ex. 11).

On another date of measuring, Rosal transcribes part of the agreement, of which I cite in its entirety in his words:

> Este documento como ya he dicho data del mil seis cientos veintitrés. Está escrito en idioma de los indios cuyo original bastante mal escrito y casi ilegible ha sido traducido al español; no menos confuso y mala es dicha traducción aunque si es fiel…[Dice] así refiriéndose al convenio celebrado con los contendiente: "Este dice la escritura que hacemos ahora nosotros principales en el veintiuno de Noviembre en este año de 1623 años = Ahora se compuso el título y que da aquí con nosotros principales, nunca se descompone ya lo dejamos dicho delante Dios, lo hicimos nosotros los principales y lo hicimos ahora; ya pusimos dos cruces en la punta del cerro en un lado de "Pulay" arriba de "Chisis"; ya lo hicimos ahora nosotros principales, que ninguno tiene que pelear y ninguno que valla a reganar en algún tiempo pues ya quedo dicho en el Juzgado. Nosotros somos principales y lo hicimos nosotros ahora dejamos dicho y lo hicimos nosotros dueños de la tierra provisoria y toda la gente del pueblo. Y los principales es lo que dicen: los dueños de las tierras que nunca peleen porque esta Dios delante de

> todos.....Ya quedo dicen los principales desde ahora este cerro en el lado de "Pulay" pararon dos cruces; y va derechos para sobre "Sofil"; y sigue derechos sobre "Chisis"; y salió la línea derecha al paraje del "Aire", y sigue derecho al paraje de "Chuencap"; y sigue derecho al paraje de las "Anonas"; y sale derecho a una "ciénaga", y sigue derechos al paraje de "Nacaniel" y ya solo eso; que ninguno tiene que pelear y el que emprendiere pleito se le den sesenta azotes por orden de la justicia y se le quitaran treinta pesos de multa por que ya hicimos nosotros los principales la escritura esta.....= (Firmas) Yo don Jose [Mexias] = Yo don Juan Coronel = Yo don Ambrosio Castro de "Nebaj" = Alcalde Cristobal Luis = Alcalde Jose Raimundo = Regidor Matias Pacheco = Regidor Domingo Cedillo = Escribano Juan Bautista = Alcaldes de San Juan Cotzal = Don Pedro de Abiles = y Juan Belasco = Regidores Francisco [Gomez] = Regidor Rafael Sanchez = Escribano Gabriel Lopez (Ibid)

The fact that the Ixils of Cotzal still had a document written in Ixil from the early 1600s is also impressive, and to my knowledge, there are no other references and citations of this document and its contents. The document also notes the punishment of those who violate the norm of fighting over land based on this agreement. The document would later serve in the favor of the people of Cotzal against Nebaj who had attempted to take all of Pulay. The *convenio antiguo* was mentioned a second time in a document involving the resolution of this conflict with the division of the disputed territory of Pulay in 1913 between Cotzal and Nebaj (AGCA, ST, Quiché, P. 27 Ex. 3).

The third reference to this ancient agreement is found in a document from 1860 regarding a conflict between Cotzal and Chajul over the territory of Chichel, where an important river and waterfall runs. The document was written by the municipality of Cotzal and "*en union de todos los principales y común del Pueblo*" to President Rafael Carrera, and states:

> Los del Pueblo de Chajul intentaron el año de mil ochocientos treinta y ocho despojarnos e inquietarnos en nuestra propiedad, y en esa fecha acompañados de nuestro Cura Don Francisco Puente fuimos al paraje de Chichel, y con vista del título antiguo que tenemos escrito en nuestro idioma, los persuadió nuestro Párroco para que respetaran nuestro terreno...han vuelto los del Pueblo de Chajul a despojarnos de nuestro terreno y ahora está sembrado por ellos, con perjuicio de los individuos de Cotzal, que son los legítimos dueños (AGCA, B Leg. 28,582 Ex. 140 Fol. 3)

Today, the waterfall of Chichel falls within the municipality of Chajul, whereas the river and community of Chichel belongs to Cotzal. It was the written ancient agreement between the three towns written in Ixil shortly after the arrival of the Spanish, which was used by the people of Cotzal to defend their territories against their neighbors in various land disputes.

Lastly, in 1860, the municipality and *Principales* of Nebaj requested their lands to be measured and given land titles, and mentions that Chajul, Cotzal and Nebaj had respected the "*amojonamiento*" (demarcation) of each other's land since ancient times (AGCA, Leg. 28,582 Ex. 194 Fol. 4). While a written ancient agreement is not directly cited in this document, it demonstrates a mutual understanding and respect of neighbor's lands without the use of state-approved land titles. It may also be the case that the *Principales* and municipality of Nebaj were referring to the ancient land title that the Ixils had written.

Murals in Chajul

One of the most unique aspects of working in Guatemala is never knowing what you will find within communities. The level of knowledges and archeological treasures are impressive. At times, there are "hidden" documents, artifacts, and sites that are lost throughout generations due

to colonialism, a lack of documentation, among other factors. One of the best examples of this is the Popol Vuh which was "re-discovered" by Dominican friar Francisco Ximénez in the 18th century and who transcribed the original document, which he was given access to by the people of Chichicastenango. As mentioned above, Carlos Rosal who was measuring land for the ejido of Cotzal was presented with an ancient document. Whether or not that document exists is still a mystery, and if it did, would be extraordinary due to the violence that occurred in the 1980s.

In the town of Chajul, there exists colonial murals that were painted on the walls of houses and which were recently made public. The murals became international news when National Geographic published photographs in 2012 of a recently discovered mural in a kitchen (Kaufman, 2012). These murals give a glimpse to life in the colonial era. In 2007, Lucas Asicona Ramírez found a mural in his kitchen when he was renovating his house and took the plaster off the wall. Archeologist estimate that the house is estimated to being at least 300 years old (Ibid). These paintings depict the Dance of the Conquest, which depicts the Spanish invasion and Christianization as well as other figures that offer details to colonial life in Chajul (Źrałka and Radnicka, 2013/2014).

There are also other murals in Chajul, but due to suspicion of outsiders, many of these are not accessible for researchers. I was able to visit another home with a mural and the owner said that he tried to talk to other families with murals, but many youth do not want to preserve these murals since this would prevent them from dropping the house and building a new one. Many residents have moved away from adobe housing and prefer houses made of block.

Reflections of the First Invasion

The First Invasion is characterized by direct and violent conquest, displacement and forced settlement through the *congregaciones*, and open revolt. It is during this era in which a colonial system is put into place, one that relies on violence to control people and labor (forced resettlement, going to church), extract natural resources and goods through the use of tribute, and the imposition of spirituality and Christianity based on a discourse of salvation. The Ixils were able to preserve certain aspects of their identity as made evident through the murals in Chajul, and the *convenio antiguo* that marked ancestral limits. During and after the colonial era, the Ixil Region remained relatively "isolated" by outsiders until the production of coffee led to a massive shake-up to the national and local economies.

Second Invasion

The Second Invasion in the Ixil Region is characterized by the creation of fincas by Europeans and ladinos that displaced the Ixil from their ancestral lands, created a vicious cycle of debt servitude, forced labor, alcoholism, sexual violence and looting of archaeological sites. With the introduction of coffee and an increase demand for labor to work on fincas being created across Guatemala, the State and outsiders found a renewed interest in invading the Cuchumatánes to obtain the same wealth their Spanish predecessors so desperately wanted. The State and the *finqueros* (plantation owners) were able to achieve their goals through military force as well as an emphasis on "*el papel*" (paper) in the form of land titles and legal documents that privileged *finquero* and capitalistic interests.

By the 1930s, almost half of the municipality and ejido of Cotzal granted in 1885 was converted into fincas by ladinos and Europeans landowners). Approximately 44.89% of the ejido

became private property deeded to individuals (Stoll, 1993: 35). These fincas included San Francisco (Brol family, Italian), Pantaleón (Herrera family, of Spanish decent and one of the most powerful families in Guatemala), Pacayal (Hodgson family, English), Esmeralda (ladino family) and Soledad (ladino family). Today, these fincas are remembered and associated with memories of harsh working conditions, inequality, forced labor, rape of women by the *finqueros*, abuse and displacement from their lands as well as the fincas involvement in aiding the military during the war.

At the same time, there are many ways in which the Ixils resisted this invasion through revolt as well as using legal mechanisms to contest and challenge their displacement. The struggle for the recovery of stolen lands, and justice for the structural and historical inequalities continued throughout the Second Invasion and was characterized by challenging land grants made to *finqueros*, the use of the 1952 Agrarian Reform, electoral politics, and eventually armed struggle when all other channels for reform and justice were closed and met with repression. This armed struggle aimed at correcting the injustices that were created by fincas and led to the war, which will be explored later.

It is important to note, that when conducting archival work one will never find the "smoking gun". Many of these documents are bureaucratic and can show us when and where things happened. These archives are parts of a larger puzzle that are complemented by ethnographic research. For example, in the archives you find names of places such as "Chipal", which is known today as Villa Hortencia I. Another example is that there are accounts stating that Pedro Brol bribed the municipal mayor of Cotzal to acquire large amounts of land. While these accusations of robbery and deceit are not found in the archives, reconstructing places and times of where and when things happened helps in complimenting local narratives.

The Liberal Era, Coffee, Fincas, Ladinos and "el Problema del Indio"

The imposition of state-sponsored, external development schemes in the Ixil Region that seek to stimulate the (national) economy occurred during the times of Liberal dictator Justo Rufino Barrios (1873-1885) who promoted the creation of fincas and the cultivation of monoculture in the form of coffee. It was during this Second Invasion that the Ixil Region experienced the privatization and loss of land by ladinos and Europeans as well as the commodification of land and natural resources through a western capitalist vision for development. Take for instance the case of Chajul during a time when the municipality was seeking land titles to become an ejido in the 1890s. The national government in assessing their request for land titles in 1894 stated:

> An insatiable thirst devours some towns, particularly Indian ones, to claim vast extensions of land, in whose hands they are completely unproductive; in this way the country is deprived of important agricultural projects, the main source of Guatemalan's wealth. *Communal property is a serious delay to the progress of industrial agriculture* and is in conflict with good economic principles (cited in Elliot, 1989, emphasis mine).

In their response, the people in Chajul saw the situation in a different manner than the state:

> No greater gift can you give to an Indian than a piece of land on which to raise his corn, care for his pigs and chickens, and rely on it as his heritage (Ibid)

The first significant settlement of ladinos occurred in the late-1800's, with many settling in the town centers of the three municipalities (Colby and van den Berghe, 1977: 87). According to Benjamin N. Colby and Pierre van den Berghe (1977), many of these ladinos and Europeans who came from Spain, Italy and France, were able to acquire land through fraudulent contracts as well as other methods that led to the displacement of the Ixil such as selling them liquor, providing them with loans, trapping them into debt and taking over their land (87).

Many of the early finca owners were military members and *milicias* who were granted land by the Liberal regimes as a form of payment for their service. For example, the *Milicianos* of Momostenango were given land in Las Pilas and Ilom located in both Nebaj and Chajul as a reward for their service in the military (AGCA, ST, Quiché, P. 17 Ex. 10). One of the first Europeans to arrive to the Ixil Region in search of lands was Isaias Palacios, a Spaniard who served in the Guatemalan army and who requested from dictator Manuel Estrada Cabrera (1898-1920) to be given land in Nebaj after his house was destroyed in an earthquake (AGCA, ST, Quiché, P. 18 Ex. 3). Cabrera granted Palacios fifteen *caballerías* within the already existing ejido of Nebaj. In response, the municipal authorities and *Principales* of Nebaj wrote to Cabrera and complained against the concessions given to Palacios since these lands were being used by the Ixil at the time:

> …we plead to the President to take into consideration that we have possessed all of these lands since time immemorial, having them all cultivated; and therefore, we ask you, with your political savvy never disproved, kindly suspend all operations attempting to displace us from them, particularly those granted at the request of Isaias Palacios, who aims to take away from us fifteen caballerías (AGCA, ST, Quiché, P. 16 Ex. 8, translation mine)

The land grant was suspended, but Palacios wrote directly to Cabrera. The suspension was overturned and the land grant was eventually given to Palacios.

During General Jorge Ubico's dictatorship (1931-1944), the Ixil were forced to work for 100-150 days a year, usually on the fincas and the same land that had been taken from them (Stoll, 1988: 38). As a result of this abusive and unequal relationship between the Ixil, ladinos and Europeans, on June 21, 1936 the Ixil from Nebaj revolted against plantation owners and forced them to leave town (Ibid). Consequently, the government responded by sending in the military to

Nebaj, which led to the arrest of at least 150 protestors and the public execution of seven *Principales*.

One of the two largest fincas in Cotzal included Pantaleón, which was known as a "*finca de colonos"* ("plantation of colonists") since the Herrera's obligated families to work in their coastal fincas in order for them to pay "rent" for the land and have cultivation rights within their land holdings in Cotzal. Pantaleón was administered by the Herrera Ibarguen Company, which owned between two to three hundred *caballerías* and almost the entire valley between the finca San Francisco and the town of Cotzal. According to the Washington Office on Latin America, "it [was] not unreasonable to assume that the lands owned by Herrera Ibarguen alone, with investments similar to those made in the San Francisco plantation, could support the entire Ixil Triangle population at a standard of living well above that which now prevails" (WOLA, 1988: 69-70). During the late-1970s, the company sold their lands to the National Institute for Agrarian Transformation (INTA) and the latter began selling these lands to former plantation residents and families fleeing from the violence of the war. The second largest and most significant finca was San Francisco, which was founded in 1902 by Pedro Brol (1877-1942) who was an Italian immigrant that arrived to Cotzal as a labor contractor in the late-1800s. Unlike Pantaleón, San Francisco overtook the richest and fertile lands that were ideal to produce coffee. Many members of the community retell the story of the arrival of the Brol family who systematically stole the lands that their elders had worked to clear and cultivate. In one version, the Ixils cleared and cultivated the land where the finca San Francisco would later be located. It took them years to work the land and once it was producing crops, the Brols came and bribed the municipal mayor to help him claim the valley of Cotzal and displace the Ixils who had worked the land.

Don Miguel, who was born in the finca San Francisco in 1943, says that the Brols bought 20 *cuerdas* from another ladino, and with that he began "to invade more" in surrounding lands and slowly acquiring more land. Don Miguel says that his grandfather moved from Cotzal to the finca San Francisco in order to avoid providing labor under forced labor laws. Don Miguel says his father was born in 1927 in the finca San Francisco.

The finca San Francisco is estimated to have been consolidated by forty different properties into a larger one measuring over 315 *caballerías* as of April 19, 1960, of which roughly 200 are located in Uspantán (Elliott, 1989: 9). The lands were again separated in June 1970 (Ibid). In reviewing the landholdings of the finca San Francisco at the SRP, I was struck by the various instances in which land was divided and consolidated multiple times.

Academics, Finqueros and the Reproduction of Violence

The early 20th century also witnessed the rise in US imperialism as well as an increase of European and US academic researchers who benefited from it. This was particularly true for anthropologists who were in the business of salvage ethnography and whose purpose was to obtain physical artifacts such as archaeological pieces, indigenous dress, and other treasures that they could preserve in museums abroad. In the satire, laden novel, *The Adventures of Mr. Puttison among the Maya* (2002), Victor Montejo tells a story of a US ethnographer who visits a rural indigenous community in the early 20th century and whose research is characterized by deceit to gain entrance in the community, the use of alcohol to obtain knowledge from the Maya, and who eventually steals artifacts from the community, among other unethical research practices. The protagonist is inspired by anthropologist Oliver La Farge who visited the Cuchumatánes in the 1930s, but they represent the manner in which academics were agents of colonialism that

reinforced racist attitudes against indigenous peoples and a global racial hierarchy that privileged Euro-western peoples and knowledges. In the same manner, academics and others such as missionaries have been arriving to the Ixil Region since the late 19th century and correlates with the arrival of coffee and state intervention. Two of these researchers were Robert Burkitt who visited in 1913 and Jackson Lincoln Stewart who arrived in the 1930s. Their writings provide a different perspective in the ways that fincas played within Ixil society.

Burkitt was an archaeologist and conducted excavations throughout the Cuchumatánes that included the Ixil sites of Chipal, San Francisco, Chichel and Nebaj. His work entitled "Explorations in the Highlands of Western Guatemala" (1930) is important given the little archeological studies conducted in the Ixil Region, especially in Cotzal. These works become vital particularly in documenting early Ixil settlements. While he provides some early sketches on sites he came across in these locations, these excavations were never expanded. In addition, his article provides invaluable ethnographic observations that capture the early invasion and relationship between the fincas and the Ixils.

Burkitt travels from San Cristobal, Alta Verapaz and first visits Chipal, and then heads down to the finca San Francisco. He writes the following about San Francisco and Pedro Brol (who he refers to as "Peter"):

> The thing about San Francisco which has made it a centre of settlement – both now and I suppose anciently – is the junction of the rivers, or rather, the land at the junction, a little fertile flat. Hills rise up steep all around. The owner of San Francisco has turned a great part of the flat between the rivers into a canefield. He makes brown sugar and sends it up to Nebaj on mules. This owner is an Italian subject, Mr. Peter Brol, a very pleasant, sensible man. He does not care a button about ruins or antiquities but understands that

> other people may, and if they wish to come and explore the ruins on his land, he will be happy to see them come, and if they find any buried treasure they can have it. He even offered to give the men that might be needed. But he probably changed his mind on that point when he understood that the exploration would not be an affair of days but of months (1930: 52)

At San Francisco, Burkitt notes the rich archaeological artifacts and structures found at this site. He finds a "stone and mortar idol" that is seventy-two centimeters high, and forty-three centimeters in width. He further states that the "Indians…burn incense and candles to it". He mentions another "idol" that was on the ground and heard that someone "had tried to carry it off to sell…but had found it too heavy" (Ibid: 53). Through Burkitt we can see that the *finqueros* did not value the cultural inheritance of the Ixils and in fact encouraged strangers and outsiders, such as Burkitt, to take it, even going so far as offering some of his workers (most likely Ixils) to help excavate.

Afterwards, Burkitt went to Chichel where he stayed at Las Galeras, which was close to the ruins. In regards to the Las Galeras he writes:

> This place is called Las Galeras (The Sheds). There are one or two tumbledown sheds at the side of the road. General Somebody and his forces at the time of some revolution were captured in those sheds, or were not captured; I have forgotten the story. (Ibid: 54)

While the reader would have liked it better if Burkitt would have remembered that story, I suspect that the General mentioned in this instance was Justo Rufino Barrios who was the leader of the Liberal Revolution. There are stories of Barrios being wounded in the Ixil Region in which the Ixils hid him in a *temazcal* and healed him. According to many Ixils, their assistance to Rufino Barrios is said to be the reason he gave them their land titles. He settled in an "empty" house and "engaged a halfbreed on the place to show" him Chichel (Ibid: 54).

Burkitt reports that Chichel is owned by a "native, a captain in the army and employed on the President's staff in Guatemala" (Ibid: 56). The owner's brother lived in Chajul and managed the land at the time of his visit. He travels to Chajul where he finds that his brother was a clerk of the courthouse and a "very influential person". He writes that the mayor was an illiterate "Indian" who spoke little Spanish and was usually drunk after ten in the morning.

Burkitt's article provides a greater insight on the relationship between fincas, alcohol and Ixils. He says that he visited Nebaj "years ago" (not clear when) and that now that he has returned it was now "a different place" (Ibid: 57-8). He associates this difference as Nebaj being a more "civilized place" during this visit since there are now "whitewashed houses, natives with collars and neckties, the alcalde no longer an Indian, a telegraph station, a shop that sells penknives as well as hoes and cutlasses, and above all, an unceasing coming and going of labour contractors and plantation getting out gangs of Indians for the Pacific coast" (Ibid: 58). He then comments on the role alcohol, labor, and the fincas have with each other. The following is quoted at length:

> And there is rum. The place stinks of it. The Indians are drunk from morning till night. There is a distillery in Nebaj. The black sugar, that comes up from San Francisco and other places where sugar cane grows, is melted back into syrup in Nebaj and distilled into rum. But that rum is not enough. Rum has to be brought in from other places. An Indian in the woods, or on his land, is not a drunkard. He could not be. If he had any rum, he would drink up at once and be done with it. But in town he has no chance. In the days I was in Nebaj you could hardly see an Indian on the street after nine o'clock in the morning who was not already dizzy. I used to think Chichicastenango was the drunkest town in the country, but now I think it is Nebaj. My plans at Nebaj were upset by rum. There are two ruin places that I know of that are to be got at from Nebaj and I did nothing

> at either of them, and one of them I never even saw. The Indians I was going to take were never sober. (Ibid: 58)

Burkitt says he wanted to visit some stone ruins called Xolkil and had the support of the municipal mayor since he was carrying a letter from the governor. He was able to obtain the support of the mayor who provided him with three or four Ixils to serve as guides and assistants. He says they never showed up since they got drunk the day before and had not sobered up. The mayor than assigned other men but they also showed up drunk; all were jailed as a result. Burkitt in thinking about this says that maybe he arrived at a "bad moment" (Ibid: 59). He explains:

> The plantation agents were at the height of their activity, scattering money, advance pay for work, and every Indian was able to buy rum. *The rum business and the coffee business work together in this country, automatical*ly. The plantation advances money to the Indian and the rum seller takes it away from him and the Indian has to go to work again. Work leads to rum, and rum leads to work. It does not matter that the work happens to be plantation work. It might as well be excavating ruins. But to get results from the system, the rum and the work have to be in different places. That is the moral I drew from my experience at Nebaj (Ibid: 59, emphasis mine)

Burkitt is also an example of how researchers maintain racist and judgmental attitudes towards the Ixil. Upon his arrival to Chajul he writes:

> As for the village [Chajul], it is a mud hole on the side of a hill. It is amusing when you are in one of these places, Chajul or Uspantán or Tactic, to look at the map and see these poor pelting villages put down as important cities. All of the signs of life are a knob of drunken Indians somewhere, an occasional draggle-tailed woman with a water jar on her

> head…And yet it happens that this out-of-the-way village of Indians is able to attract travelers in great numbers and from distant places (Ibid: 57)

He goes on to talk about the annual *feria* (festival) during the second Friday of Lent and says that the "mud hole has one moment of strange importance. But it is only a moment" (Ibid).

While some may argue that this was written in the late-1920s, these sentiments remain present by tourists, researchers and others who visit the Ixil Region. In some occasions, I would overhear English-speaking tourists or researchers speaking openly and honestly about their experiences in the Ixil Region. They would do so in front of me since they did not suspect I knew English nor others around them. In one instance, I was having coffee at a restaurant founded by a Peace Core volunteer. A group of students came in and began talking about the Ixil Region and their experiences. Some said the people were "dirty", "drunks", and that people were "uneducated".

Jackson Steward Lincoln is another researcher who arrived in the 1930s to conduct ethnography on the Ixil, and mainly stayed in Nebaj with visits to Chajul and Cotzal. He published his work on the Ixil calendar but died suddenly before he could publish a larger manuscript of his work (Lincoln, 1942). His notes were published posthumously in 1945 by the University of Chicago and offer insights to the research he was conducting, especially since he had first-hand accounts of meeting the original *finqueros* of the region, such as Pedro Brol who he refers to as either "P. Brol" or "Pedro B.". Lincoln states that he was able to talk to Brol directly and states:

> He told me he first visited Nebaj in 1894 and during the same year as habilitador he took the first group of Ixil-speaking Indian labor to the Finca Chocola. He described how he and his companions, when they used to see the zahorines praying in front of the great cross in the Plaza, threw oranges at them and poured water on them (1945: 64)

This type of violence and intimidation of Ixil spiritual leaders and people would not cease as decades later Brol's children would contribute towards massacres of the Ixils alongside the military. Lincoln also adds that "Don P. admitted that some of the early ladinos stole Indian lands and began the aguardiente trade. When he first arrived in Nebaj there were only two estancos and not much of drinking" (Ibid).

Lincoln's work also makes other mentions of tensions between fincas and the Ixils. This includes an insurrection in 1925 that occurred in Ilom and which "led to fights and bloodshed…because of land disputes" (Ibid: 69). Lincoln also provides a summary of the 1936 uprising of the Ixils in Nebaj that led to the deaths of seven *Principales* as mentioned above (Ibid: 67-8).

The works of early ethnographers such as Burkitt and Lincoln demonstrate the changing power dynamics among the Ixil during this period which included the role of fincas in controlling labor, archaeological looting and Ixil culture and traditions. At the same time, their presence and role as researchers also inform us about the transforming power structures among the Ixil. Access and privilege enjoyed by ethnographers is noted by Lincoln who says he gained entry to the Ixil Region through two occurrences: obtaining a letter from the Jefe Politico of the Department of Quiché, who ordered a *Principal* to help him, and the assistance of a Spanish priest (Ibid: 11). Thus, this form of access was through a top-bottom approach. In addition, many ethnographers also had access to different spaces through priests and *finqueros*. Gringo privilege in the Ixil Region was established and shaped by these early scholars. Their demeaning manner in various instances also reinforced and replicated epistemic violence and institutionalized racism against indigenous peoples.

1952 Agrarian Reform

By the 1930s, many fincas and *finqueros* had consolidated their land holdings and presence within the Ixil Region. While the Ixils were resisting Ubico's vagrancy laws, there were also calls and protests in the capital to end the dictatorship. These protests eventually led to the 1944 October Revolution, which saw mainly middle-class, educated ladinos demand Ubico's removal from power. The October Revolution ushered in the Ten Years of Spring characterized by democratic rule that led to a wide array of educational, social and political reforms under the administrations of Juan José Arévalo (1945-1951) and Jacobo Árbenz Guzmán (1951-1954). Among the most significant reforms that the revolutionary governments created was the 1952 Agrarian Reform known as Decree 900, that sought to redistribute land by expropriating large uncultivated fincas, which remained in the hands of large landowners and foreign interests like the US-based United Fruit Company (UFCO). According to Jim Handy (1994), by the time Árbenz came to power, "twenty-two owners controlled more land than 249,169 peasant families" (88). While there were efforts by the revolutionary governments to rectify structural inequalities through reform, racism and violence towards indigenous peoples remained strong as evidenced by the 1944 Patzicia massacre against the Kaqchikel in the early days of the revolution (Ibid: 54-55).

Decree 900 was passed on June 17, 1952 by the Guatemalan congress and gave the government the ability to expropriate uncultivated lands of large fincas (Ibid: 86-92).[4] There were certain criteria and rules for expropriation and only certain types of lands that could be impacted by the law. Decree 900 stated that no finca that was less than two *caballerías* could be expropriated (Ibid: 91). A finca that was two-thirds cultivated and between two and six *caballerías* was also not affected by the law (Ibid). Lands that could be expropriated and denounced included national

[4] For an in-depth analysis of Decree 900 and its impact in Guatemala, see Handy (1994),

fincas, fincas measuring more than six *caballerías* and not in use or being rented, and "Municipal land denounced by *comunidades indígen*as or *comunidades campesinas*" (Ibid). As a result of the agrarian reform and its impact on fincas that included the UFCO, Árbenz was overthrown by Carlos Castillo Armas who led a counter-revolution with the support of the US Central Intelligence Agency (CIA) in June 1954 (Forster, 2001; Gleijeses, 1991; Handy, 1994; Immerman, 1982; Schlesinger, 1982). The coup led to the cancellation of expropriation orders, and the persecution of peasants and indigenous peoples involved in agrarian movements (Ibid). The Castillo Armas coup ushered in decades of military dictatorship with the support and backing of the US.

While research has been conducted on the impact of Decree 900 in Guatemala, there is little information on its effect in the Ixil Region (Ibid). In Cotzal, the Ixils used the agrarian reform to call for the expropriation of three fincas that included the fincas of San Francisco, Asich and Chenlá (AGCA, Decreto 900, P. 1 Ex. 1; P. 15 Ex. 3; P. 16 Ex. 11). The largest one of these expropriation efforts was the finca San Francisco, which the Ixil gained favor for expropriation and detailed below. Interestingly, Árbenz's Minister of Agriculture was Nicolás Brol, the son of Pedro Brol who along with his four brothers were owners of San Francisco. The expropriation of the finca San Francisco was presented by Rosendo Girón Toledo in representation of the "*campesinado Cotzal*" on February 25, 1953 (AGCA, Decreto 900, P. 1 Ex. 1). At least two other request for appropriations were submitted. One of these *denuncias* (claim or denunciation) was carried out by "Juan Rodriguez y compañeros" who claimed that the finca San Francisco qualified for expropriation since it had an extension of 350 *caballerías* (Ibid). Another *denuncia* was made by "Miguel García y compañeros" on "San Francisco Cotzal y anexos, El Putul, Ticajpubitz" since it had 600 of 800 *caballerías* of uncultivated land (this later turned out to be a wrong calculation of the size of the finca) (Ibid).

The multiple *denuncias* for San Francisco created confusion among agrarian officials who noted the competing expropriation claims. On July 6, 1953, the *Comite Agrario Local de San Juan Cotzal* stated:

> Así mismo, este Comité, hace consta que con fecha 28 de febrero del año en curso, fue denunciada esta misma propiedad por todos los mozos colonos de la finca "San Francisco Cotzal y Anexos," por lo que considera que el presente expediente es extemporáneo, salvo lo que para el efecto resuelva la Superioridad (Ibid)

A fourth *denuncia* brought forth by the workers of San Francisco occurred on February 28, 1953 by "Aureliano Vásquez y compañeros' (Ibid). This *denuncia* included the signatures and fingerprints of the workers from the finca located in Cotzal as well as their holdings in Uspantán. What is unique about this list is that it has surnames from various other locations and ethnicities. While you do see traditional surnames from Cotzal such as Toma, Sambrano, Gómez, Avilez, and Cordova, you also find Ixil surnames associated with Nebaj such as Ceto and Brito. Moreover, there are K'iche names such as Lux and Us, Q'eqchi' names such as Chen, and others that may be from neighboring Q'anjob'al, ladino or from other groups such as Cano, Méndez and Herrera. In their *denuncia*, the finca workers state:

> los propietarios de [San Francisco] nos han proporcionado parcelas gratuitamente y como mozos colonos de la finca; las cuales hemos venido cultivando personalmente con siembras de maíz, frijol y, otros productos, para atender a las necesidades de nuestras familias…somos campesinos pobres, con familias y, carecemos tierras propias para cultivar. (Ibid)

The finca workers identify the various properties that form San Francisco as a whole at the time, which included: Cualá, Sacajabitz, Ticapubitz, Alclatzé, Ticajpubitz, San Francisco Pinal del Río,

San Francisco Cotzal, San José Cotzal, Perú Grande, Perú Pequeño, Buenos Aires, Monte Arturo, Argentina Putul, Putul Chiquito, El Putul, and the plots that the workers already had. They requested to have priority over any other who sought expropriation since they had been working on these lands for years (Ibid).

In response, the five Brol brothers informed the *Comision Agraria Departamental* and listed their agricultural activities of growing coffee, sugar, having cattle, a seed nursery, as well as engaging in reforestation and proving land for their workers for them to grow their food. They then agreed to give the land to their workers. They wrote:

> la Sociedad "BROL HERMANOS Y COMPAÑÍA LIMITADA" cede con mucho gusto a sus trabajadores, en forma definitiva, las parcelas que les ha otorgado para sus cultivos, y a que ellos se refieren en su denuncia; siempre que los peticionarios acrediten, en debida forma, ser los trabajadores de la finca "San Francisco Cotzal y Anexos" (Ibid)

Girón Toledo objected to the *denuncia* of the workers and wanted to know how much land they would actually receive, and that the case be taken over by neutral people since the owner included Nicolás Brol (Ibid). During the "Inspección Ocular" on July 12, 1953, it was found that San Francisco had 114 *caballerías* and 58 *manzanas* divided in the following manner:

Table 2: Use of Land on the finca San Francisco in 1953

Use of land	**Size**
Land directly cultivated by owner or representative	18 *caballerías*, 50 *manzanas*
Pasture land	12 *caballerías*
Forestry Land	47 *caballerías*
Lands cultivated by third parties	20 *caballerías*, 32 *manzanas*
Uncultivated land (not usable)	16 *caballerías*, 40 *manzanas*

Source: AGCA, Decreto 900, P. 1 Ex. 1.

In addition, the finca had 510 families and houses located in two *caseríos* and others being dispersed. The *Consejo Nacional Agrario* ordered the expropriation later that year. In total, 86 *caballerías* would be expropriated, but these were overturned on July 5, 1956 after the overthrow of Árbenz (Elliott, 1989: 12).

The expropriation efforts of Asich and Chenlá were not as extensive as San Francisco. The *denuncia* for Asich, whose owner was listed as the "Mortual de Juan Sajic Velasco", was presented by Domingo Saquic Aviles and compañeros on April 25, 1953 (AGCA, Decreto 900, P. 15 Ex. 3). Their *denuncia* did not meet the requirements of the agrarian reform since the land being sought was less than two *caballerías* and was deemed "*inafectable*" for expropriation (Ibid). The expropriation claim for Chenlá, which formed part of the finca Pantaleón owned by Carlos Herrera, came from the *colonos* (colonists) who submitted their application on April 10, 1953 (AGCA, Decreto 900, P. 16 Ex. 11). Diego Cordova was listed as the "*denunciante*" along with twenty other *colonos*. In their application, the *colonos* stated that for approximately forty years they have been living and cultivating the lands they were seeking, and that Herrera had given them a plot of land to cultivate. This *denuncia* was later denied by the government after Herrera's legal representative, Rafael Eduardo Castillo Valdez, argued that the finca did not qualify under the agrarian reform since the majority of the land was being cultivated (Ibid).

Another expropriation order that occurred in the Ixil Region involved one of the other more significant fincas located next to Ilom in Chajul. In August 1941, Luis Arenas began buying the finca La Perla and "immediately set barbed-wire fences around his property…limit[ing] the use of the lands" for people to cultivate, and building an airstrip to export coffee (Elliott, 1998: 55). In 1946, "Arenas gave the people of Ilom the use of 4 caballerías", although they did not receive any land titles or ownership of the land (Ibid: 55-6). With the Agrarian Reform, since the finca La Perla

and its annexes measured more than 86 *caballerías*, with only 12 in use, an expropriation process began (Ibid). Arenas became upset and went to talk with U.S. Embassy officials and offer "to lead a revolt under his Anti-Communist Unification party" and help overthrow the government (Ibid: 56-7). By the end of March 1954, 52 *caballerías* were expropriated by "Andrés Pérez y compañeros" and "Girón Toledo, a representative of the Confederación Campesina of Chajul" (Ibid: 57). The cancellation of this expropriation occurred on June 4, 1956, and the leaders involved distanced themselves from this movement (Ibid: 58).

Ejidos and Land Tenure

The creation of ejidos, fincas and registration of other land titles in the late 19th century and early 20th century was a very long, messy and complicated process. Yet, not much is known about land titles, occupation and tenure in Cotzal. Elaine Elliott's unpublished work entitled "A History of Land Tenure in the Ixil Triangle" (1989) is by far the most complete work on land tenure in the Ixil Region. Her work included arduous archival research and is often cited extensively by other academics such as, Bettina Durocher (2002) and David Stoll (1993), who have based their historical and land sections on it. While this important work informs us of land tenure at the regional level, there remains much work to be done in reconstructing the history of land tenure in the Ixil Region.

The following section is focused on examining how ejidos and fincas were created and registered. The majority of the data below is based on archival work and it is important to note that state agents and representatives wrote these documents. These representatives often times favored *finqueros* who were often military officials rewarded for their service. In the first part of this

section, I look at historical documents that relate to land. I then present historical information on the ejido of Cotzal, San Felipe Chenlá, and the finca San Francisco.

Ejido of Cotzal

The ejido of the pueblo of Cotzal (Segundo Registro de la Propiedad [SRP], #4403, Fol. 164, Lib. 25) was registered on January 22, 1885 through a title issued by dictator Justo Rufino Barrios (1873-1885) and was granted to the "*municipalidad*". At its founding, the ejido measured at 379 *caballerías*, 29 *manzanas*, and 6,558 *varas cuadradas*. On February 26, 1914, the area was increased by 9 *caballerías*, 14 *manzanas*, and 3,693 *varas cuadradas* after the conflict between neighboring Nebaj over Pulay was resolved (Ibid). The report on the ejidos of Cotzal in the AGCA, contains documents dating between 1883 and 1885, mainly written by the surveyor measuring the limits of the municipality and other state agents (AGCA, ST, Quiché, P. 3 Ex. 11). These documents show us the conflicts that existed between Cotzal and their neighbors. Two main conflicts include the dispute between Cotzal and Nebaj over Pulay, and that between Cotzal and Chajul over Batzul (Ibid).

Cotzal's registration record located in the SRP show that there have been eight *desmembraciones* (dismemberments) since 1885 (at the time it was requested in 2015). The first was "Lote Xetzac" given to the community Chiul in Cunén on October 11, 1946, measuring 2 *caballerías*, 57 *manzanas*, and 9,955 *varas cuadradas* (SRP, #4403, Fol. 164, Lib. 25). Between 2011-2014 there were seven *desmembraciones*. Below in Table 3 are the names of the beneficiaries of the *desmembracion*, the date the *desmembracion* was registered (*fecha de la escritura*), the size of the property that was *desmembrado*, and the new finca number. It is important to note that the

properties that were *desmembrado* are officially listed in square meters, and their conversion to *caballerías* or *manzanas* are approximations, hence they are not to be taken as exact figures.

Table 3: *Desmembraciones* of the Ejido of Cotzal between 2011 and 2014

Name	Date of Inscription	Size	Finca Number
1. Jose Timoteo Pérez Rodriguez	May 31, 2011	335,253,74 square meters	Finca 3539, Folio 39, Libro 48E
2. Domingo Obed Rodriguez Pérez	September 30, 2011	100,220.94 square meters	Finca 4206, Folio 206, Libro 49E
3.Benjamín Cruz Velasco	October 30, 2012	1,019.96 square meters	Finca 1006, Folio 6, Libro 63E
4. José Eliseo Pérez Cruz	November 28, 2012	333,117.16 square meters	Finca 1330, Folio 330, Libro 63E
5. Victor Candelario Rivera Lopez	December 27, 2013	179,895 square meters	Finca 6482, Folio 482, Libro 73E
6.Miguel Toma Zacarías	December 27, 2013	407.50 square meters	Finca 6483, Folio 483, Libro 73E
7. Teresa Marroquin	February 26, 2014	74,046.37 square meters	Finca 6690, Folio 190, Libro 74E

Source: SRP, #4403, Fol. 164, Lib. 25.

The registration record of the ejido of Cotzal states that there was a usufruct of 174.68 square meters for 25 years given to IGSS on February 13, 1967, and it was approved by then-Municipal Mayor Gaspar Pérez Pérez. In addition, there was a *servidumbre* (a right to use another's property) to the *Transportadora de Energía de Centroamérica, Sociedad Anónima* (TRECSA) for

227,226.79 square meters to build eighteen electrical towers on the ejido of Cotzal. According to the document:

> La presente servidumbre se constituye previa a la entrega de aporte económico como contribución voluntaria acordada y de la indemnización que la ley establece en relación al derecho de servidumbre antes mencionado por la cantidad de Q 700,000.00. Escritura No. 147 autorizada 26 de septiembre de 2013 (Ibid)

Many people and community leaders I talked to in Cotzal were unaware of this payment and were surprised to learn this when I presented them with these documents from the SRP.

San Felipe Chenlá

The origin of San Felipe Chenlá is found in various lands, which were united through time and various owners. Jacinto Castillo M. was the first person to register various lands after buying them from various Ixil and having obtained land titles for these lands on July 14, 1910, which was approved by the *Juzgado Primero Municipal* of Cotzal. It is unclear how the Ixils whom he bought these lands from laid claim to them and what documents, if any, they had. The total extension of these lands was approximately five *caballerías*, and a request to have them measured was made November 7, 1911 (AGCA, ST, P. 27, Ex. 2).

According to an *asiento* (an original document used to register land) at the SRP, Castillo purchased these five lands and converted them into four fincas, and which were not registered before (SRP, A. 127, Fol. 136, T. 5). These four land holdings and fincas were consolidated into one larger finca (with different finca number) on June 20, 1914 (SPR, #5584, Fol. 182, Lib 31; #5585, Fol. 184, Lib. 31; #5586, Fol. 186, Lib. 31; #5587, Fol. 188, Lib. 31). Table 4 lists the lands that Castillo bought, the previous owners, the purchase price, and the new finca number (Ibid).

Table 4: First Registration on the lands that make up San Felipe Chenlá today

Name of Land	Previous Owner	Purchase amount	Finca number after purchase
Jucubá	Andres Pacheco y compañeros	60 pesos	Finca 5584, folio 182, libro 31
Xotopsé	Mateo Solano y Francisco Sanchez	40 pesos	Finca 5585, folio 184, libro 31
Tzuy	Andres Torres y compañeros	35 pesos	Finca 5586, folio 186, libro 31
Mutzil y Lovancharaché	Juan de la Cruz y Pedro Gomez	75 pesos	Finca 5587, folio 188, libro 31

Source: SRP, A. 127, Fol. 136, T. 5

According to the reports found at AGCA, these four purchased lands measured 4 *caballerías*, 28 *manzanas* and 2829 *varas cuadradas* which were "surfaces less than that titled" (AGCA, ST, P. 27, Ex. 2). In addition, Castillo was the owner of a territory called "Chenlá", which after a measurement had a size of two *caballerías*, five *manzanas*, and 9809 *varas cuadradas* (Ibid).

The community of San Felipe Chenlá (SRP, #10,584, Fol. 223, Lib. 52) in the form that it exists today, was consolidated by the company "Herrera y Compañía Limitada" after they purchased these lands from Castillo and registered in 1924 (Ibid). At the time, the newly consolidated finca measured at 10 *caballerías*, 61 *manzanas*, and 5,438 *varas cuadradas* after they were re-measured with the approval of the *Revisor General* (Ibid).

On November 30, 1982, the Guatemalan government becomes the owner of San Felipe Chenlá, which is then forcibly created into a model village during the civil war by General Oscar Humberto Mejía Víctores in 1983 (Ibid). The land title is later turned over to the inhabitants of San Felipe Chenlá as a *Patrimonio Agrario Colectivo* on September 19, 1994 and inscribes 151

people in the registry between June 10, 1998 and November 22, 2000 (Ibid). In July 2011, San Felipe Chenlá through Act Number 23-2011 declares itself as a *Comunidad Indígena* and renames the community as *Comunidad Indígena Tu Poj* (Tu Poj, 2011).

Finca San Francisco

The finca San Francisco is located today in Cotzal and Uspantán, and is divided into two fincas: "Finca Empresa Agrícola San Francisco, S.A." (SPR, #15,588, Fol. 143, Lib. 81), and "Finca Agrícola Cafetaleras Palo Viejo, S.A." (SRP, #24, 977, Fol. 215, Lib. 103). The origin of the two fincas, like in the case of San Felipe Chenlá, is one that involved the consolidation of multiple lands and fincas in the valley of Cotzal. Currently, the finca San Francisco is approximately 315 *caballerías*.

Within written documents, we find that one of the first, if not the first, land to be registered of the finca San Francisco was done by Ismael Orellana (SRP, #3677, Fol. 72, Lib. 21). According to a document at the AGCA entitled "Ismael Orellana, Cotzal, Quiche, 1903", Orellana claimed that a land in Cotzal was a baldío (AGCA, ST, P. 18, Ex. 8). The SRP mentions that Orellena received his land title through the President, Manuel Estrada Cabrera (SRP, #3677, Fol. 72, Lib. 21). Orellana then obtained various witnesses, that included members of the municipality such as Pedro Aviles, first municipal alcalde, Domingo Toma, second municipal alcalde, Nicolas Toma the second *regidor*, among others (AGCA, ST, P. 18, Ex. 8). Orellana and the municipal authorities went to visit the land that were to be measured where the municipal mayor stated there was no conflict to Orellana's claim (Ibid). In the end, 14 *caballerías*, 36 *manzanas* and 1,376 *varas cuadradas* were registered in 1904 (SRP, #3677, Fol. 72, Lib. 21). Today, many oral accounts argue that the municipal mayor was given a bribe to give these lands away. Pedro Brol bought the

lands owned by Orellana on February 13, 1906 for 3,650 pesos, and then has the land re-measured in which the finca grows by another two *caballerías* (Ibid). On December 14, 1942, Pedro, Enrique, Edmundo, Jorge, Elena, Nicolás, Catarina, and Agusta Brol Galicia, through inheritance become the new owners of the finca after their father's death (Ibid).

Another land that would form part of the finca San Francisco consisted of 9 *caballerías*, 61 *manzanas*, and 540 *varas cuadradas*, first owned by Francisco Chavez who was awarded this property by the Supreme Government (SRP, #4413, Fol. 176, Lib. 25). President Rafael Estrada Cabrera expedited the land title on February 7, 1907. After a sale to Angela Cardenas de Garcia and Moises Garcia, Pedro Brol bought these lands for 1,500 pesos on June 30, 1913 (Ibid).

Reflections of the Second Invasion

Today, there is no one I found to know the exact details of the arrival of the original ladinos and Europeans in the early 20th century to the Ixil Region. What they remember is an invasion filled with violence, displacement through legal means of land titles and deception through the use of alcohol, repression, forced labor and subordination under *finqueros*. The arrival of the fincas was another wave of colonization that established land inequality that was not present before. These inequalities would begin to build, and as seen with the 1952 Agrarian Reform, the Ixils were trying to recover the lands that were taken from them. When these struggles ended in failure, the calls for armed struggle began to gestate. The repression that ensued impacted everyone who lived in the Ixil Region.

The Third Invasion: Civil War, Genocide, Violence and Resistance

Don Juan, a very warm man in his early forties, invited me to an exhumation in his community of Chisís. When I first met don Juan, he was quiet and did not share too much with me, this might have been due to me being an outsider as well as not speaking Ixil since Spanish was his second language. I met *don* Juan in 2012 and over the years I began to learn more about him, his life and his family. When he invited me, I was not sure if it were appropriate if I should attend. He said it was fine and informed me that his parents were the one who would be exhumed.

Chisís suffered the largest massacre in Cotzal during the war on February 13, 1982. *Don* Juan was only eight years old when the military and PAC arrived to his community. He has never gotten into the details of this day; nor did I want to ask. All I know is that at the end of that day, there were hundreds dead, including his father. Those who survived the massacre by hiding in the mountains or other ways, returned to bury the dead. In many cases, people remember where they buried their relatives, friends, neighbors, and it is this knowledge that allows forensic anthropologists to exhume the bodies which is considered a crime scene.

On a cloudy morning in Chisís, the residents met with a team of forensic anthropologists. There would be at least three exhumations, one of a common grave containing various people, and two more for *don* Juan's parents since they were buried separately. The people of Chisís took the forensic anthropologists to the site of where they buried their relatives. After careful digging, we see a round figure that turns out to be a skull. It turns out that this skull was that of a young child between the age of three and five. In total, this clandestine grave contained thirteen bodies: 9 children, 2 women and 2 men. Some of the children are too young for the forensic anthropologists to determine gender; all of which were burned alive. The two men found at the crime scene were murdered with a gunshot to the head. While the grave that contained murdered children, who

would have been *don* Juan's age had they survived, was being dug up, it was an eerie sight to see other living children observing, watching with curiosity reflecting off their eyes trying to make sense of it all, all while their mothers wept silently, with the fear of the past glimmering in their eyes trying to make sense of it all as well.

Don Juan, his siblings and his mother fled into the mountains and that is where he buried his mother. To arrive there from Chisís, we drove about 20 minutes on a dirt road, and had to walk about two hours up to the highest parts of the surrounding mountains. There were three members of the exhumation team, *don* Juan and his family, two of his sisters, another Ixil from San Felipe Chenlá, and another friend. We arrived at the site where *don* Juan says he and his two brothers had to bury his mother as an 8-year-old. It was located at the peak of the mountain, surrounded by a ring of trees with birds chirping. Without hesitation, *don* Juan pointed to the exact location to where he buried his mother. After digging, the first signs of *don* Juan's mother's remains led to a silence from the family. The digging continued, and the family waited patiently until their mother was completely unearthed. Once she was, everyone paused as *don* Juan said some words in honor of his mother. Afterwards, one of the forensic anthropologists began to remove her remains and place them into plastic bags, which were to be taken to their lab in Guatemala City. When the first bone was lifted, the family began to weep. Their cries shattered the silence that had monopolized the mountains at that moment. They were the sounds of sorrow, anger, pain, suffering, and mourning. One of the forensic anthropologist who has been doing this for over a decade was also tearing up, and he later confessed that even after doing this for so long, you never get used to these moments.

After an exhumation, these remains go back to a lab where they are processed and analyzed to see if they can determine their identity. Once they are identified through various means (DNA,

testimonies, etc.), it can take up to a year for their remains to be returned to the family to be properly buried. In the cases in which remains cannot be identified, they are placed in individual boxes and placed in a storage unit that houses the victims of war from throughout Guatemala.

During my field research, I did not ask many questions directly regarding the war since I did not want to open any wounds, or recreate the pain and trauma that I saw and felt that day at the exhumation. Yet, working in the Ixil Region, it was difficult not to discuss the war or conflict in general, especially since it had permeated into every aspect of life. What I learned is that war and reality is extremely messy and it is almost impossible to capture this reality into words. The Ixil Region has been the location of many research projects regarding the war, as well as serving as the case used against General Efrain Rios Montt for genocide.

Living in San Felipe Chenlá and visiting various communities allowed me to glimpse the complexities of each location, community and people. I have talked and befriended people who were patrolmen, military, guerrillas, Communities of Population in Resistance (CPR), victims, as well as youth who were born into model villages, in exile or in CPRs. In some cases, people fall into multiple roles during the war. For instance, there were people who were CPR and later became Patrolmen, others who were victims who were forced to join the military or patrol as young as 14. In another instance, I was with two people who were on opposite ends of a battle since one was military and the other an ex-guerrilla. This occurred in other parts of Guatemala, and I once met a K'iche' man who was in the military and who fought in the Ixil Region in the 1980s, migrated to the US in the 1990s, and who returned to Guatemala and became a member of the ancestral authorities in Totonicapán.

There are communities that were created because to the war and consist of ex-model villages and Agro Aldeas, most of which were strategically placed by the side of the main road, as

well ex CPR communities which remain in the mountains and have less access to roads and basic services like electricity and sanitation. Other communities are located near the finca San Francisco and who work on the finca. Yet, another set of communities are consisted of K'iche' communities that neighbor Uspantán. Each community has a distinct history, and each experienced the war differently. While these distinct histories are not explored here, it is sufficed to say that in providing a generalized account of the war in Cotzal and the Ixil Region, these differences should be taken into account to avoid making generalizations.

The civil war was a gestation of inequalities surrounding land, racism, and the oppression at the hands of the military and dictatorships as described in the previous two invasions. There is a wide range of works that have focused on the war and its legacies and include testimonies from Ixils (Caba, 2001; Ceto, 2011; Hernández Alarcón, 2008; Guzaro and McComb, 2010); documentaries such as *Granito* (Skylight Pictures, 2011); academic works (Brett, 2007; Manz, 1988; Perera, 1993; Stoll, 1993); and photographic works (Asociación de la Mujer Maya Ixil, 2000; Simon, 1988; Volpe, 2015). The two truth commissions after the war, CEH and REHMI, and declassified US and Guatemalan documents, such as *Plan Sofia*, are also important historical documents that highlight the systematic violence and their perpetrators. The 2013 conviction of Rios Montt for genocide and crimes against humanity also provides 90 personal testimonies from survivors of the war as well as expert testimony to provide further analysis to prove that these crimes occurred.

The War in the Ixil Region

The Guatemalan Civil War is the Third Invasion that saw the worst violence against the Maya since Spanish colonization. Beginning with General Fernando Romeo Lucas García (1980-

1982) and followed by General José Efraín Ríos Montt (1982-1983), the Guatemalan State carried out a counter-insurgency campaign meant to displace, massacre and eliminate Maya communities that the military viewed as a safe-haven for the guerrilla. The Guatemalan Commission for Historical Clarification (CEH) reported 669 cases of massacres that left 200,000 dead of which eighty-three percent were indigenous, and one million and a half displaced (1999a: 100). The same report found that the military was responsible for ninety-three percent of these deaths. The human rights atrocities committed during this era that contributed to these horrifying statistics and loss of life have been well documented and widely published elsewhere (Brett, 2007; Burns, 1993; Carmack, 1998; Galeano, 1969; Garrard-Burnett, 2010; Guzaro and McComb, 2010; Jonas, 1991; Manz, 1988; Menchú, 1984; Montejo, 1987, 1999; Perera, 1993; Simon 1988; Stoll, 1993).

The department of El Quiché, particularly the Ixil Region, was among the heaviest hit during the war where the Guerrilla Army of the Poor (EGP) enjoyed much support (Garrard-Burnett, 2010: 87-8). The CEH found that the department of El Quiché suffered 344 massacres, 114 of them in the Ixil Region alone (CEH, 1999a: 100). In the early 1990s, it was estimated that between 1978 to 1983, up to 25,000 Ixils had been killed or displaced; an area in which population estimates were 85,000 in 1978 (Perera, 1993: 62). The military viewed the Maya and the Ixils as natural allies of the guerrillas, which they believed justified their repression.

The United States was well aware of the violence occurring in Guatemala and the Ixil Region as well as the military's awareness that the Ixil were being specifically targeted. On February 20, 1982, days after the massacre in Chisís, the CIA reported on the following which is quoted at length due to its historical importance:

> In mid-February 1982, the Guatemalan Army reinforced its existing force in the Central El Quiche Department and launched a sweep operation into the Ixil Triangle. The

> commanding officers of the units involved have been instructed to destroy all towns and villages which are cooperating with the Guerrilla Army of the Poor (EGP) and eliminate all sources of resistance…Since the operation began several villages have been burned to the ground, and a large number of guerrilla and collaborators have been killed…*When an Army patrol meets resistance and takes fire from a town or village it is assumed that the entire town is hostile and it is subsequently destroyed*. The army has found that most of the villages have been abandoned before the military forces arrive. An empty village is assumed to have been supporting the EGP and it is destroyed...The army high command is highly pleased with the initial results of the sweep operation, and believes that it will be successful in destroying the major EGP support area and will be able to drive the EGP out of the Ixil Triangle. Indians have historically been hostile to the army are now collaborating to the extent that the army has successfully formed a self-defense force of Ixil Indians in the town of San Juan Cotzal to protect the town against attacks by the EGP, the army has yet to encounter any major guerrilla force in the area. Its successes to date appear to be limited to the destruction of several EGP controlled-towns and the killing of Indians collaborators and sympathizers…The well documented belief by *the army that the entire Ixil Indian Population is pro-EGP* has created a situation in which the army can be expected to give no quarter to combatants and non-combatants alike (Central Intelligence Agency, 2002 [1982], emphasis mine).

There is ample evidence such as this cable that the Ixil Region suffered genocide during the military campaigns which viewed the indigenous population of the Ixil Region as an internal enemy that needed to be eliminated.

While there are those who deny genocide, ranging from conservatives in government and media who outright say this type of violence did not occur, to foreign academics who debate the concept of "genocide" and its legal usage, the evidence presented at trial against Rios Montt was enough to lead to his conviction on these charges. His conviction is his sentencing reads:

> el acusado JOSE EFRAIN RIOS MONTT, es responsable como autor del delito de GENOCIDIO cometido en contra de la vida e integridad de los pobladores civiles de las aldeas y caseríos ubicados en Santa María Nebaj, San Juan Cotzal, San Gaspar Chajul…[y] es responsable como autor de los DELITOS CONTRA LOS DEBERES DE HUMANIDAD (Asociación para la Justicia y Reconciliación, Centro para la Acción Legal en Derechos Humanos, 2014: 714).

The ruling was overturned ten days later by the Constitutional Court as a result of an alleged due process violation. The new ruling was viewed as a victory for systematic impunity and corruption that exists within Guatemalan society. This widespread corruption and impunity that exists within all branches of government, would later be exposed in 2015 when *La Linea* came to light and which eventually led to the resignation and arrest of President Otto Pérez Molina and Vice-President Roxana Baldetti, among other high ranking government officials and ministers. To many Ixils, the conviction is valid and remains intact today, despite the CC resolution.

Fincas and their Role in Genocide

The finca San Francisco has been accused and documented to have contributed to the massacres, genocide, sexual violence and terror in the Ixil Region. Yet at the time of this writing, there have not been any charges brought forth to these fincas and their owners. According to

REHMI, the army had a large presence in the region including a platoon on the finca of San Francisco:

> The Military – which in 1981 had a brigade deployed with a command post in Nebaj, one company in Chajul, another in Cotzal, and another one in Nebaj, in addition to *two platoons in the plantations of La Perla,* two in La Tana*, one in San Francisco*, and another in La Panchita, the most remote places in the area – immediately initiated actions against those populations that showed greater support to the guerrilla, and scorched earth in the communities closest to the zones of refuge of the guerrillas (1998: 306, translation and emphasis mine).

The troops stationed in San Francisco have been implicated in the massacre in Chisís. According to the CEH:

> El día sábado 13 de febrero de 1982, alrededor de las cinco de la mañana, unos 200 soldados provenientes de los destacamentos de Cotzal, Nebaj y Chiul, y 100 patrulleros civiles que procedían de la finca San Francisco de Cotzal y de las aldeas de Santa Avelina y Cajixay rodearon Chisís, formando un cerco para impedir que la población de la aldea pudiese escapar...los soldados abrieron fuego contra la población y empezaron a quemar las viviendas...Consumada la masacre, los sobrevivientes de Chisís vieron, desde su refugio en la montaña, cómo los soldados y patrulleros se dirigían de nuevo hacia la aldea. Ésta ya había sido abandonada. Los soldados quemaron todas las casas. Luego continuaron hacia Villa Hortensia Antigua, donde pasaron la noche. En la madrugada del domingo 14 de febrero, incendiaron las casas de Villa Hortensia. A continuación marcharon a la finca San Francisco (1999b: 90-1).

Chisís was destroyed and survivors either fled into the mountains or sought refuge in the town center of Cotzal. Other communities such as Cajixay were also completely destroyed and abandoned for years, thus contributing to the internal displacement of thousands in the Ixil Region (Manz, 1988). Others fled to the mountains to form the CPR or joined the guerrillas. Hence, plantation owners in the Ixil Region worked in collaboration with the military during the war. As a result, plantation owners such as members of the Brol family and other large landowners became a target for the guerrillas. There were two Brol Galicia brothers who were murdered during the war. The first was Jorge Brol in 1969 in Cotzal by unknown assailants when he was driving on the main road to the San Francisco to hand out pay. Enrique Brol was murdered in 1978 in Nebaj by the EGP in a public execution. In addition, Jose Luis Arenas, the owner of finca La Perla and known as "*El Tigre del Ixcan*" due to his brutality, was also murdered 1975 on his finca.

The death of Jorge Brol is clouded in mystery. Some have claimed it was done by a group of local Cotzaleños who knew he would be carrying a lot of money. Others claim it was orchestrated by the FAR. Mario Payeras in *Los Días de la Selva*, suggests that Domingo Sajic was involved with the assassination and as a result, was captured by the military police, tortured and murdered in a coffee toaster located inside the finca San Francisco (1998: 102). A little less known claim is that it was a family dispute between the Brol brothers over inheritance.

According to AHPN documents, by 1970, Edmundo Federico Brol Galicia, complained to the police since there were no arrests made in the murder of his brother Jorge (AHPN, Doc. # 1 F51335). According to the report, Jorge was carrying 8,000 quetzals and was travelling with Domingo Vicente Pastor when they were ambushed ten kilometers before arriving the finca (Ibid). According to the report, between 10:00-11:00AM, rocks blocked the road in order to stop the vehicle. It was during this time that Pastor, the passenger, went out of the vehicle to remove them

and it was in that moment in which Jorge was shot by the assailants three times with a 45-caliber killing him instantly. Realizing he was dead, the assailants pushed him over from the driver's seat and then proceeded to take his briefcase with the 8,000Q, a rifle, a watch, a wallet, and other personal documents. The assailants fled to Cotzal. Edmundo complained to the police and asked that various people be arrested including Domingo Sajic Gomez, Juan Cruz Toma, Emilio Rivas, and Ildefonso Galicia (Ibid). Domingo Sajic was implicated in the murdered and was subsequently kidnapped as mentioned above.

Model Villages

The civil war also witnessed the creation of model villages and the Civil Defense Patrols (PAC), which were meant to control and oppress the Ixils; these model villages included San Felipe Chenlá, Vichivalá and Santa Avelina, and which were later at the center of resistance against the Palo Viejo dam. Children as young as twelve were forced to join the PAC and people in these model villages remember living under military surveillance and repression. At the time, these model villages were meant to showcase the military's and the state's commitment in contributing towards the development of the region. These efforts included highly publicized inaugurations of model villages by ministers and high level officials. For example, San Felipe Chenlá was created by the military as a model village under General Oscar Humberto Mejía Víctores in 1983 and was officially inaugurated in 1986 during a visit by Minister of Development René de León Schlotter (WOLA, 1988: 61-3). Yet, despite the publicity and rhetoric, development was far from being achieved. For instance, in Vichivalá, a model village constructed in 1983 at a cost of Q 96,635, the only government agency present in the village was the Ministry of Education, which appointed a temporary teacher and assistant to teach 98-monolingual Ixil children (Ibid). Most families could

not afford to buy pencils and paper for their children and while the state built a health post, it "was not staffed even part-time and had no supply of medicines" (Ibid).

Reflections of the Third Invasion

I have not met many people in the Ixil Region who was not impacted by the war. One man told me, "*Giovanni, es que quemaron todo!*" ("Giovanni, they burned everything!"). Many fincas were turned over and sold to INTA during the war. The Brol family would remain in Cotzal, and the grandchildren of the original *finquero* took over the family business. The people who committed genocide and violence continue to walk freely with impunity, whether it be in a small community or as elected officials in all branches of government at the highest offices.

Conclusions

The three invasions are based on a history of extraction of natural resources, labor, and knowledges. The colonial system that "officially" ended in 1821 became the Guatemalan State and maintained a colonial logic of extraction, often with a violent mindset. The legacies of these previous invasions remain embedded within Ixil society and have manifested itself into further violence today as will be seen in the Fourth Invasion, which is the basis of the next chapter. The colonial, racist, and repressive institutions created such as the Catholic Church, the military, a centralized government, fincas, among others, continue to marginalize the Ixils.

Land inequalities since the arrival of the fincas in the Second Invasion were contested by the Ixils in multiple ways. From open protest that led to the execution of seven *Principales* in Nebaj in 1936, to legal channels in recovering land through the 1952 Agrarian Reform, the Ixils resisted the finca system. When these attempts led to state and military intervention and violence,

many Ixils joined the revolutionary movement, which led to the Third Invasion. The response of the state was genocide and massacre. At the same time, there were other methods that the state utilized to displace the Ixils such as the creation of land titles and the debt system.

The arrival of megaprojects and their relationships with these same fincas that have historically repressed the Ixils is not a coincidence, rather it is a continuation of preexisting colonial and extractive institutions that often comes at the costs of Ixil life and suffering. That Palo Viejo was constructed by an Italian company on the finca San Francisco by Italian Pedro Brol's grandson of the same name, represents a cyclical history. The lessons from these previous invasions have continued to inform the movements that emerged during "post-war" Guatemala.

CHAPTER 2: "POST-WAR" LIFE AND MEGAPROJECTS IN THE IXIL REGION

In Guatemala, the colonial and extractive nature of development projects have produced violence, human rights violations, displacement, persecution of community leaders, and increased remilitarization. Throughout Guatemala, peaceful opposition to development projects has been marked by violence and conflict. Many have claimed that this is a new invasion and that many of what is occurring today resembles previous eras. These sentiments were captured on September 2, 2011, during a meeting with Enel, when Miguel de Leon Ceto, one of the community leaders representing Cotzal at the negotiations, said:

> Five hundred years ago, the Spanish came and tricked our ancestors out of what was rightfully theirs with meaningless gifts and promises, and now the story is repeating itself as you [Enel] come here and ridicule our rights and show contempt for our customs. What you need to realize is that at this negotiating table, there are people here; people that demand equality and demand to be heard and respected (cited in Roberts, 2011).

History within Maya communities is cyclical, and examining past actions informs current events.

The purpose of this chapter is to provide the social and political context of Cotzal and the Ixil Region to better understand some of the local politics and tensions that exist in the Fourth Invasion. I begin by analyzing "post-war" Cotzal and the aftermath of the violence. It also looks at the concept of consent and consultation as key issues being discussed in many of the conflicts surrounding development projects to provide context at a national level. I then provide a brief overview of some of the dams operating in the Ixil Region. Lastly, I introduce the emergence of the *Alcaldía Indígena* and the *Comunidades Indígenas*, which were key actors in the movement against Enel in Cotzal.

"Post-war" Cotzal

The civil war began to end in the 1990s, with its official end coming with the 1996 Peace Agreement. During that time, there was a process of demilitarization and the return of refugees from exile and the CPR back to their communities. At times, people returned to their lands and home only to find them occupied. Former model village residents gained land titles and official ownership of former fincas. Children and minors who suffered during the 1980s, were now adults who were having children of their own. Many ex-patrolmen were now evangelicals, and with some building their own church and becoming pastors. Former guerrilla members were judged and in some cases discriminated against by those who remained in the military controlled communities. CPR communities settled in places such as Vichemal, Cotzal and Ajmachel, Chajul. Youth who were born into or grew up during the war, whether in model villages, CPR, Guatemala City or the coast, heard stories of a terrible violence that left thousands dead, and depending on who you were, blame was distributed all around and attributed to either the military, the fincas, the guerrilla, patrolmen, radicals, terrorists, the state, the US, communists, the Catholic Church, evangelicals, among others. NGOs, missionaries, academics, international workers and microcredit companies flooded the Ixil Region with promises of "salvation", "enlightenment", "knowledge", "development" and "*proyectos*", at times with little sensitivity to local culture and peoples. The war had officially ended, but the conflict that has been present since the first European diseases arrived to the Cuchumatánes continued.

How can there be talk about "reconciliation" if there has never been "conciliation" in Guatemala in the first place? How can there be talk about a "post-war" environment, when the war has been raging for centuries? How can there be talk about "peace and justice" when the trauma that people suffered continues to manifest itself in the minds of people through physical, spiritual

and emotional scars, especially when the perpetrators of violence continue to live in impunity, and worse yet, become President of Guatemala (i.e. Otto Perez Molina)? The violence continues today, and has manifested itself in different and multiple ways. The Brol family continues to terrorize the communities without a single bullet being shot. While Enel claims to be innocent of any wrongdoing of creating an intimidating environment, as we will see below, they are inheritors of a violent and repressive system that continues to profit off the suffering of the Ixils.

Youth, Gangs, and the Traumas and Legacies of War

The legacies of war and the impact it held on the social fabric of Ixil society is evident through the arrival of another foreign threat; this time not by physical foreign bodies, but rather a foreign mentality, thought and organization in the form of gangs. Since the early 2000s, Cotzal was experiencing gang violence from conflict between MS-13 and 18th street. MS-13 was born on the streets of Los Angeles during the height of the Central American civil wars in the 1980s. Many of the youth fleeing the violence in Central America arrived to the US where they confronted another reality and society. Many Central American youth joined together to defend themselves from other marginalized groups such as Mexicans, African-Americans and others who picked on them. Many of these youths reproduced the violence they witnessed and suffered during the war. As a result, many were involved in illicit activities and deported to their respective countries, and the national capitals such as Guatemala City and San Salvador. These deportations and returns were the origins of the transnational gang network that would emerge and which today fuel violence and displacement.

It is during this phase that youth from Cotzal joined gangs and returned to their home communities, which eventually led to robbery, shootings, drugs, and street gang violence. People

today recall specific gun fights, such as the one that occurred during a soccer match in which the players and spectators fled when someone opened fire against a rival gang member. In the urban center and surrounding communities, streets were divided among 13 and 18th street. Parents were fearful for their children's personal security when they went to school. Many elders told me that while there was violence, these gang members at least respected them unlike gang members in the city where they do not respect anyone.

By the early 2000s, Cotzal would be declared a *zona roja* (red zone). In response to this rise in violence, was more violence that would nevertheless end in more pain, death and human rights abuses, a justification for militarization and *mano dura*. Across Guatemala and particularly areas where the civil war hit the hardest, suspected criminals would be "lynched", which was done so by beating and burning people alive. Between 1996 and 2001, the *Misión de Verificación de las Naciones Unidas en Guatemala* (2002) registered 421 cases of lynchings, in which there were 817 victims (7). These lynchings are an indicator of the lack of trust within the judicial institutions in Guatemala at all levels, which are characterized by corruption and impunity for the perpetrators of violence.

In Cotzal, the height of this militarized and violent reaction is seen with Municipal Mayor Jose Pérez Chen (2008-2011), who was also involved in the repression of protestors of the Palo Viejo dam. It is also during this period that the communities of San Felipe Chenlá, Santa Avelina and Vichivalá would begin to reorganize their security through patrols to confront the gang problem. In addition, in Guatemalan discourses of security to eliminate gangs, other presumed "delinquents" are sometimes included, such as social rights activists, human rights defenders, protestors, and those against megaprojects. The latter group are characterized with being terrorists, radicals, and trying to reignite the violence that many suffered during the war. These claims have

dominated public policies and forming the primary concern of the Guatemalan public. Many politicians have used these concerns as their platform, the most famous example being Otto Pérez Molina and his political party called the Patriot Party whose symbol was a tight fist.

Within the social context of an increase in gang violence, then-Municipal Mayor Pérez Chen began a campaign to eliminate the gangs operating in Cotzal through force. According to the *Bufete Juridico de Derechos Humanos* (BDH), in this case, Municipal Mayor Pérez Chen based his power around a "mini military" consisted of the Municipal Police, Municipal Transit Police, personal body guards, and *Juntas Locales de Seguridad*, which consisted of ex-patrolmen (Bufete Juridico de Derechos Humanos, 2017). Some said his increased security led to a decrease in gang activity. Yet, according to many, at a certain point "*se le paso la mano*", an expression that stresses that he went too far with his actions. There were accusations that Pérez Chen was abusing his power by ordering his multiple security and police units to persecute suspected *mareros* and others deemed to be delinquents, but were also repressing people who were innocent. There were claims that these security forces would act outside of the law and beat and torture people, even extorting families for money in order to release their relatives and not harm them. This included the illegal detention and beating of a military member for forty-eight days (Emisoras Unidas, 2013).

On Sunday November 1, 2009, a 16-year-old was walking with his friend and his aunt when he exchanged looks with Municipal Mayor Pérez Chen. Little did anyone know, that this exchange of looks and its aftermath would have serious political and social implications for years to come. Municipal Mayor Pérez Chen sent his bodyguards to detain the young man who had glanced at him since he believed him to be a "*marero*" and "*rockero*" since he had relatively longer hair than most in Cotzal and used hair gel. Under this arbitrary criterion, Pérez Chen felt entitled

to detain this young man and place him in the "*calabozo*" (dungeon) located in the municipal building with impunity. The young man was beaten, tortured and had his hair cut by his abductors.

Word soon got out to his mother and grandmother who went to the municipality to free the young man. They were beaten and the mother ended up having to go to the hospital for her injuries. Upon hearing this, Pedro Rodríguez Toma, the father of the boy who was a PNC officer working in Chajul, went to Cotzal and talk to the municipal mayor. Pérez Chen then ordered his security to beat the police officer and disarm him. He was subjected to torture and some claim to hear his screams from the *calabozo* as far as 100 meters away.

Approximately at 6p.m. that same day, Rodríguez Toma was taken out to the main square where Pérez Chen called residents and claimed that the police officer had come to Cotzal to assassinate him and that he would now suffer "*justicia Maya*" (Mayan justice). Many have said that this is not *justicia Maya* and that the municipal mayor was just trying to justify his violent and illegal actions. Rodríguez Toma's face was bloody and disfigured, the signs of the torture he endured were evident since he was missing his teeth, and his tongue had been cut out. After being forced to drink gasoline, Rodríguez Toma was set on fire. A man who was filming and taking pictures of the incident would also be beaten and hit in the head with the butt of a rifle. There was another man who was also in the *calabozo* after being illegally detained and beaten the night before the incident, and who would later serve as a witness and denounce Pérez Chen.

When I arrived in Cotzal in June 2011, I first heard about Pérez Chen and the incident that occurred. In December 2010, Pérez Chen along with 29 others had an order for his arrest, and he went into hiding (Bufete Juridico de Derechos Humanos, 2017). At this point the municipal council took control and power of the municipality. I heard rumors that Pérez Chen was being aided by his supporters and the police while in hiding. Another rumor said that he was in hiding in the finca

San Francisco. Then on June 26, 2011, two days after the annual festival of the patron saint of San Juan Cotzal, I was in Santa Avelina when I received news saying Pérez Chen was captured. The town was buzzing with the recent developments. Soon, his supporters were threatening to burn down the police station, but fortunately nothing major occurred. Pérez Chen was later convicted to 82 years in jail for the death of Rodríguez in August 2012 and was charged with abuse of authority, extrajudicial execution, kidnapping, discrimination and torture. It was also the first time in the history of Guatemala that someone was sentenced for the crime of torture (Ibid). He was later convicted for the illegal detention of a military member mentioned earlier. Others from his security team were also detained since 2011, and many who went into hiding were subsequently arrested in 2012. I know of at least one member of Pérez Chen's security team who remains a fugitive. According, to some, there were some who were arrested and had nothing to do with Pérez Chen's abuses. I know of at least one case in which a former member of his security was arrested and later freed after being in jail for two years.

This was not simply a lynching; this crime highlighted the systematic violence, repression, impunity, intimidation and corruption that existed within the municipality of Cotzal and the Ixil Region. In addition, it demonstrated the violent men who committed human rights atrocities continue to live with impunity and among the community. People in Cotzal describe that there were those in the PAC who were forced into patrolling, and others who "enjoyed it" and took advantage of their position. At the same time, there were PAC who were 12 years old and were forced to serve. They were under military control, and those who disobeyed were killed. Many retell how they were rounded up and forced into military service, often without being given the opportunity to say goodbye to family members.

There is an old man in Cotzal who I always see walking by himself in a tailored suit. He is almost always by himself. You pass his house which is on the side of a hill as you leave the urban center of Cotzal on your way to Nebaj. They say he is always drinking, and after the stories that I hear about him and what he has done, I understand why anyone would want to kill as many brain cells as possible. This old man was young once, and when he was young he was one of the commanders of the PAC, and with that position he would accuse people of being guerrillas, murder people, rape women, and commit massacres. And yet, there he is, walking and breathing the same air as his victims, as if nothing happened. For the visitor or unsuspecting observer, this is just an old man. For others, it is the reason they continue to feel the pain of their loved ones, have trauma and grew up as orphans. These victimizers roam throughout Cotzal, and that includes those who are in the finca San Francisco.

In the communities of San Felipe Chenlá, Vichivalá and Santa Avelina, gang violence was also causing fear and escalating. Before the violence could get more out of control, community leaders decided to organize themselves with arms since gang members at this point no longer feared community authorities, elders and norms. In 2008, each community through assembly and consultation took measures to ensure the end of gangs. In San Felipe Chenlá, the community gave gang members seven days to turn in their weapons in as well as present themselves in front of a community assembly to explain why they had joined. The purpose of this was a way to have them show *vergüenza* (shame), a traditional form of punishment to those who have committed something wrong. In hindsight, this may have been a risky move if gang members decided not to comply. Some cried upon explaining to the community why they had join, and some said they were forced into joining. There were patrols around the community 24/7 in which each family had

to volunteer for a shift (it was not done by force). The patrolmen consisted of a diverse group of people and included ex-PAC and ex-guerrillas.

The more serious troublemakers would leave Cotzal, with many of these going to the capital and returning during the holidays which is when there is a spike in crime since many Cotzaleños are returning home with money. For example, there is an increase of delinquency and robbery during the annual feria and Christmas. In some instances, these gangs are rumored of always trying to make a comeback and start organizing again. As a result, there are random spikes in violence. In one case, the owner of the only bus line that goes from the finca San Francisco to El Quiché, was being extorted to pay a protection tax. When he refused, he was shot while driving one of his buses, but survived. A few days later, another one of his buses was shot at. I was actually on that bus, and in the last seat on the right side and saw the gunman as he aimed and shot at the driver. He was not trying to rob the bus, but rather kill the driver. Luckily he only got the tires and no one was hurt. He fled, and attacks against bus drivers continued for a short time.

These patrols had success in curbing gang violence, and from interviews, informal conversations, and living in San Felipe Chenlá, I have not heard of any abuses attributed to these patrolmen in San Felipe Chenlá. Ex-PAC are controversial. Many have organized around figures such as Rios Montt and Otto Pérez Molina, and many of its members committed massacres and violence during the war. What gets lost in some narratives is that some ex-PAC were also victims of war, and not everyone participated in massacres. Reality is messy and it is this messiness and tension that will continue to emerge throughout this chapter. That the patrols were reorganized in ex-model villages is not an accident. The difference between ex-patrolmen under the service of Pérez Chen and those of the three communities is that the former was done in a violent manner under the control of one individual, and the latter as a community. Today, these patrols continue

and having accompanied them once and observed them, they are viewed as important by community members, especially since the PNC sometimes do not patrol the communities nor respond to emergencies for a variety of reasons that range from not having gasoline for their patrol unit, to not wanting to. These reorganized patrols would play a role in the movement against Enel.

Fincas in the "Post-War"

The old economies based on the exportation of coffee began to diminish during the war, which made it difficult to harvest and have a reliable source of labor since they were being massacred by the military. The transport and exportation of goods in the western highlands also made it difficult to engage in commerce and trade and impacted local economies and agricultural production (Jonas and Rodriguez, 2014). Many of the fincas that existed in Cotzal ceased to operate during the war. The Herrera and Hodgson family sold their fincas to INTA. Remittances from the United States soon replaced coffee as the main source of foreign income by 2003, and people found an alternative in migrating abroad to make dollars as opposed to migrating to work in the coast and fincas. Some *finqueros* after the war began investing in other businesses including the construction of hydroelectric dams. Thus, the two dams operating and the one being constructed in the Ixil Region are in either La Perla or San Francisco; the two fincas that are best associated with violence since the early 20th century.

Today, the Brol family has mainly withdrawn their official and formal residency from the Ixil Region, and many are based in Guatemala City. The Brol name is also known internationally due to family members and brothers Herbert, Enrique, Jean Pierre Brol (sons of Fernando Brol-Cortinas and nephews of Pedro Brol-Cortinas), and cousin Dany Brol (son of Pedro Brol-Cortinas) who participate in shooting competitions in the Central American Games, Pan-American Games

and the 2016 Olympic Games (Cabrera and Meléndez, 2016; Gómez, 2015).[5] In these competitions they have won various gold, silver and bronze medals. Other members of the Brol extended family have been involved in other enterprises such as Mario Brol Samayoa who was arrested and sentenced for 14 years in jail for tax evasion and money laundering of approximately Q718 million. According to Prensa Libre, Brol Samayoa is "considered to be the biggest tax fraudster in the history of Guatemala" (Prensa Libre, 2013). Pedro Brol-Cortinas (the grandson of the first Pedro Brol) is now in charge of the finca San Francisco, which remains heavily militarized. The quality of the soil and land remains among the best in Cotzal and their coffee products are among the best in the world. In 2014, the Rain Forest Alliance, a seemingly progressive organization promoting sustainability, placed eight in a competition involving 60 growers from eight countries and judged on their quality and taste (Rainforest Alliance, 2014). The Senior Manager of Sustainable Agriculture at the Rainforest Alliance claimed that these farmers were producing high level quality of coffee "while conserving natural resources, protecting wildlife habitat and supporting local communities" (Ibid). Brol-Cortinas, along with his sons, administer the business, and entered into business with Enel to build the Palo Viejo dam.

To date, there have been no charges brought to fincas and their owners for their role in the civil war and genocide, despite the evidence that implicates their participation with the military. While the war has ended, the inequalities and land problems that led to the civil war have not been resolved. As will be explored in the next chapter, many indigenous peoples are continuously being displaced from their lands. That Enel negotiated deals with a figure like Pérez Chen, the Brol family and Otto Pérez Molina, as we will see in the next chapter, should raise eyebrows, especially with their self-portrayal of being a socially responsible company.

[5] Herbert and Enrique both participated in the 2016 Olympic games. They did not win medals at this competition (Cabrera and Meléndez, 2016).

Local Economies

Agricultural production in the Ixil Region has also transformed since the civil war officially ended. The use of pesticides and chemicals has led to the land being less productive than before. An increase in population has also seen an impending land crisis since the per capita of land is becoming denser, especially in Cotzal where there is less land.

In Santa Avelina, a local cooperative that exports organic free trade coffee has been a great source of revenue for surrounding communities. But, diseases and bad harvests have led to economic crises. In 2014, Guatemala coffee suffered from "*la roya*" (coffee rust), which is a type of fungus that attaches itself to plants. As a result, the cooperative estimated that at least 70% of production fell, which led to an increase in poverty in surrounding communities.

FPIC, Conflict, and Indigenous Rights

The source of many conflicts is rooted in the failures on the part of the Guatemalan State, local municipalities, and corporations to seriously recognize and implement the rights of communities and indigenous peoples at all levels. Among the most violated is the international law principle of Right to Free, Prior and Informed Consent (FPIC), which affirms the rights of Indigenous Peoples to give informed consent before the "approval of any project affecting their lands or territories and other resources" (United Nations, 2008: 12). These rights are outlined in the International Labour Organization (ILO) 169 and most recently the 2007 Declaration on the Rights of Indigenous Peoples (UNDRIP). The importance of recognizing, respecting and implementing these rights are justified and explained by Oxfam which states:

> Often Indigenous Peoples and other community members are left out of the planning and decision-making process in these projects. The outcome can be devastating. Indigenous

> Peoples and project-affected communities risk a permanent loss to their livelihoods and cultures. Lands can be damaged or taken without their consent. Resettlement is often forced on communities with inadequate compensation offered (Hill, Lillywhite and Simon, 2010: 1).

During the civil war, developmental projects such as dams were often a source of conflict. One of the most infamous cases occurred in 1975 with the construction of the Chixoy dam in Rabinal, Baja Verapaz, which had support and funding from the World Bank and the Inter-American Development Bank. The Achi-Maya living on the land and surrounding areas where the dam was to be constructed were not consulted or notified. In addition, there was no compensation or resettlement program for the families who were living on these lands which were illegally acquired and flooded (Arias, 2010). Subsequently, when the Achi's refused to relocate, the military labeled them as "subversives," massacred the protestors and displaced over 3,000 people (Ibid).

Following the 1996 Peace Accords, the Álvaro Arzú administration (1996-2000) renewed efforts to attract foreign investment through the adoption of neoliberal policies and laws that sought to privatize the energy sector and telecommunications. This included new mining laws which reduced royalty rates to fall from 6 to 1 percent (Dougherty, 2011). These demands for electricity and metals, often for the benefit of foreigners living in developed nations and people living outside of the affected communities, have also meant displacement and conflict for those living on the territories of these projects. Since 1998, metal exploration has grown by 1,000 percent in Guatemala (Dougherty, 2011: 404). Often, indigenous peoples in Latin America have suffered the costs of displacement, cultural loss and social division in the name of development promised by these megaprojects. In response, indigenous peoples have pushed for the recognition of their

rights over their ancestral territories within international mechanisms and legal instruments such as the ILO 169 and UNDRIP. Many have used FPIC to defend and demand their rights.

FPIC can be broken up into the four categories with the terms used to describe the principle: Free, Prior, Informed and Consent. Under FPIC, indigenous peoples are given the right to be *Free* from intimidation, manipulation, force, coercion and pressure from government, the company and other forces in making their decisions and providing consent. Indigenous communities are also guaranteed enough time to consider all information about the project *Prior* to the allocation of land for the project and Prior to the approval of certain projects. In addition, indigenous communities are guaranteed the right to be *Informed*, thus being provided all the necessary and relevant information needed to make a decision to give consent on a certain project, which can be easily accessed. This includes having this information in the community's respective language and having access to independent experts and study on the proposed project. Lastly, indigenous communities have the right to give or withhold *Consent* at every stage of the project (Hill, Lillywhite and Simon, 2010: 8).

FPIC is not perfect. There is a debate on its effectiveness if it were to be implemented. Consultation is not veto power. Thus, if a company decides to practice FPIC, they can consult communities, and if 100% of the community is opposed, then they can claim that they consulted with the communities, and since they remain within the confines of the laws and have been authorized by the Guatemalan government to engage in their projects, they can proceed. Veto power is viewed negatively among international institutions and only exists within the UN Security Council and reserved for its five permanent members (US, France, Russia, China and the UK). Some compare consultation as being a checklist, and once that checklist is completed, companies can move forward. At the same time, if communities are organized against the projects, companies

may consider it too risky to implement their projects. Such has been the case among the communities in Salquil Grande where the extraction of barite has been stalled by local opposition.

In Guatemala, FPIC has been ignored throughout the country by the state and various companies working on megaprojects. Despite the fact that Guatemala has signed and adopted ILO 169 and UNDRIP where FPIC is guaranteed, they continue to deny this right to indigenous people. This occurs even in situations where there exits pressure from affected communities, shareholders, and national and international organizations to suspend these projects. Instead, community leaders and human rights defenders are criminalized, and at times the military is sent into communities to suppress protests. According to the Secretary of Agriculture in 2011, there have been 1,367 cases of land conflicts which have affected approximately 1,137,821 people in Guatemala (Zeceña, 2011). The majority of these land conflicts occurred in the departments of El Quiché, Alta Verapaz, Huehuetenango, Izabal and El Petén, which suffered some of the worst violence during the civil war (Ibid).[6]

[6] Among one of the most publicized cases involving extractive industries and the denial of FPIC in the face of international pressure and conflict is the Marlin Mine in San Marcos. The Marlin Mine which operates in the municipalities of San Miguel Ixtahuacan and Sipacapa located in the department of San Marcos is owned by Goldcorp, Canada's second largest gold mining company, which began developing the mine in 2003. In 2004 there were protests by the Maya communities against the mine which was not respecting FPIC and eventually led to a blockade to prevent mining equipment to be shipped to the mine. Forty days into the protest, approximately 1,200 soldiers and 400 police were sent in to break the blockade and arrest community leaders (On Common Ground 2010: 164). A popular referendum in 2005 resulted in 98% of the *campesinos* in the surrounding communities officially rejecting the mine (Stanley and Zarsky 2011: 6-12). Despite protest and local pressure to suspend the mine's operation, the mine continued to operate. In March 2010, the United Nations Committee on the Elimination of Racial Discrimination (CERD) denounced the mining licenses and asked the state to develop mechanisms to obtain consent for the project from the communities. A second complaint was filed by the ILO and called for closure of the mine until investigation of violated rights could be completed. In May of 2010, the Inter-American Commission on Human Rights (IACHR) ordered the suspension of mining at the Marlin mine based on a new medical study which found elevated levels of mercury, copper, zinc, arsenic, and lead in the blood and urine of people living near the mine (Ibid). Some shareholders of Goldcorp called for an investigation, and the company agreed to an internal review and sponsored a report entitled "Human Rights Assessment of Goldcorp's Marlin Mine" which was released in May 2010. In regards to the issue of consultation, the report found:

> The issue of consultation with indigenous people has become the subject of intense and polarized debate within Guatemalan society. The weakness of Guatemala's framework for consultation with indigenous peoples – despite its ratification of ILO 169 – is a major concern from a human rights perspective. This is an important gap in the implementation and protection of indigenous peoples' rights in Guatemala, which gives rise to serious social conflict and political mobilization (On Common Ground 2010: 23).

Megaprojects in the Ixil Region

At the moment, the Ixil Region has two hydroelectric dams operating (Hidro Xacbal in Chajul and Palo Viejo in Cotzal), another in construction (Xacbal Delta in Chajul), as well as three *amparos* (legal protection for constitutional individual or community rights) that were resolved in courts involving hydroelectric dams (all in Nebaj). An *amparo* in these four cases prevents companies from building their projects until the legal matter of consultation has been resolved by the judicial system. Furthermore, there is a mining project to extract barite (mineral used in fracking) in Salquil Grande, Nebaj, which has generated tensions and potential conflicts (Roberts, 2014). Deforestation is also a serious problem and it was estimated by an official in the National Institute of Forests that approximately 80% of the trees being cut down in the Region were from illegal activity.

In Guatemala, there are 64 dams that are either in operation, in construction, in the process of being constructed or authorized (Table 5). Of those, 64, six are located in the Ixil Region and include: Hidro Xacbal, Palo Viejo, Xacbal Delta, La Vega 1, La Vega 2, Las Brisas (Table 6) There were also nine dams that were in the process of being authorized, but for several reasons, the company did not finalize their application to build (Table 7). Solel Boneh, a company with roots in Israel, was contracted to build the two dams in the Ixil Region as well as others throughout Guatemala (Table 8).

The report also found other negative impacts due to the Marline Mine in the area labor, the environment and social conflict. In September 2011, a study conducted by economists at Tufts University found that the Marlin Mine contributed little to long-term sustainability and instead led to negative environmental impacts (Stanley and Zarsky 2011). In addition, they report that "Guatemala receives about 42% of mine revenues," with local communities receiving only about 5% which is far below the "best practice in global mining operations" (Ibid: 5). Thus, the Marlin Mine has been determined by many, not as a source of development, but a project that threatens the health and safety of surrounding communities and violates the rights of the people in San Marcos. In the face of all of these criticisms and concerns, President Álvaro Colom on June 23rd, 2010 made a pledged to suspend operations at the Marline Mine, but stated that it would take months to implement such an order (Dougherty 2011). Yet, after over a year of stalling, in August 2011, the Guatemalan State reversed its decision and decided that it would not suspend operations.

Table 5: Total Number of Hydroelectric Dams in Guatemala and their Status

Status of Project	# of Hydroelectric Projects	Capacity (MW)
In Operation	31	1,232.66
In Construction	13	450.16
Construction has not begun	14	427.65
In the Process of Authorization	6	193.96
Total	64	2,304.43

Source: Ministry of Mines and Energy [MEM] (2017). As of April 18, 2017

Table 6: Total Number of Hydroelectric Dams in the Ixil Region

Name	Entity	Location	Rivers	Capacity (MW)	Status of Project
Hidro Xacbal	Hidro Xacbal, S.A. (subsidiary of Terra Group)	Finca La Perla, Chajul*	Xacbal	94.00	In Operation
Palo Viejo	Renovables de Guatemala, S.A. (subsidiary of Enel Green Power)	Finca San Francisco,* Cotzal/Uspantán	Cotzal, Chipal, El Regadío, El Arroyo Escondido, Putul	85.00	In Operation
Hidro Xacbal Delta	Energía Limpia de Guatemala, S.A. (subsidiary of Terra Group)	Finca La Perla,* Chajul	Xaclbal	75.00	In Construction
Hidroeléctrica La Vega I	Hidroixil, S.A. (subsidiary Casado Hermanos)	Nebaj	Suchum, Xacbal	38.00	Construction has not begun. *Amparo* placed by communities.
La Vega II	Hidroixil, S.A. (subsidiary Casado Hermanos)_	Nebaj	Sumalá, Xamalá	18.75	Construction has not begun. *Amparo* placed by communities.
Hidroeléctrica Las Brisas	Hidroeléctrica Las Brisas, S.A. (subsidiary Grupo Finco)	Nebaj	Xaclbal	25.00	Construction has not begun. *Amparo* placed by communities.

Source: MEM (2017). As of April 18, 2017.
* = Additional information

Table 7: Temporary Authorizations for Hydroelectric Dams, which were Never Completed

Name	Entity	Location	Rivers	Auth. Document	Date of Auth.	Status of Project
Sumalito	Enel Guatemala, S.A.	Nebaj	Río Xacbal	Resolution 002823	Sept. 4, 2008	Never published to announce project*
Generación Hidráulica de Electricidad	Conexión Energetica Centroamericana, S.A.	Chajul	Río Jute, tributario del Río Copón perteneciente a la Cuenca de Chixoy	Resolution Mem-85	Sept. 1, 2006	Never published to announce project*
Rompama I	Rompama S.A.	Cotzal	Cotzal, Moxolá	Resolution 03811	Dec. 2, 2008	Never published to announce project*
Rompama II	Rompama, S.A.	Nebaj	Las Cataratas, Azul	Resolution 03792	Dec. 1, 2008	Never published to announce project*
Ixtaguacan	World Energy Ixtaguacan, S.A.	Cotzal	Catarata Grande	N/A	N/A	Requested authorization, but never finished *tramite*
Xalb-Cabá	Hidroeléctrica el Retiro, S.A.	Chajul and Uspantán	Xalb, Cabá	AM-177-2011	Sept. 8, 2012	Company decided to suspend or cease *tramite*
San Vicente	Hidroeléctrica el Retiro, S.A	Chajul	San Vicente, Quebrada del Jute	AM-89-2012	Mar. 27, 2012	Company decided to suspend or cease *tramite*
Tigre	Hidroeléctrica el Retiro, S.A.	Nebaj	Río Tigre	AM 125-2011	Jul. 11, 2011	Company decided to suspend or cease *tramite*

Table 7 (continued): Temporary Authorizations for Hydroelectric Dams, which were Never Completed

Hidroeléctrica Sumalito	Enel Guatemala, S.A.	Nebaj	Xaclbal	N/A	N/A	No progress due to not presenting EIA

Source: MEM 2017b

*= According to the Ministry of Mines and Energy, "No cumplieron con lo requerido en el Artículo 8 del Reglamento de la Ley General de Electricidad. No publicaron y no presentaron ante la DGE ejemplares del Diario de Centro América y de un Diario de Mayor Circulación en el país, de los acuerdos y resoluciones relacionadas con la autorización."

Table 8: Hydroelectric Dams in Operation and Built by Solel Boneh

Project	**Owner/Entity**	**Location**	**Construction Period**	**Capacity (MW)**
El Canadá	Generadora de Occidente, Limitada (subsidiary Enel Latin America)	Zunil, Quetzaltenango	Jan. 2001 – Nov. 2003	47.40
Monte Cristo	Generadora Montecristo, S.A. (subsidiary Enel Green Power)	El Palmar & Zunil, Quetzaltenango	Jan. 2005 – Mar. 2007	12.70
Xacbal	Hidro Xacbal, S.A. (subsidiary of Terra Group)	Finca La Perla, Chajul*	Feb. 2007 – June 2010	94.00
Palo Viejo	Renovables de Guatemala, S.A. (subsidiary of Enel Green Power)	Finca San Francisco,* Cotzal/Uspantán	Jan. 2009 – Oct. 2012	84.00
Oxec I	Oxec, S.A. (Energy Resources Capital Corp)	Cahabón, Alta Verapaz	Jan. 2014 – Nov. 2015	25.50

Sources: MEM 2017a; SBI International Holdings AG, Guatemala and Latinoamérica 2017

* = Additional information

The Ixil Region also has two community controlled micro hydroelectric dams. It is said that since these dams operate at a smaller scale, then they do not produce the same environmental damages as the larger ones. They are also controlled and managed by the communities, thus generating electricity to be distributed within surrounding areas (Table 9).

Table 9: Community Micro Hydroelectric Plants in the Ixil Region

Name	**Entity who aided in building**	**Location**	**Capacity**	**Date of Operation**	**Communities that benefit**	**# of families that use services**
Hidroeléctrica Chel	Asociación Hidroeléctrica Chelense / Fundacion Solar / Semilla de Sol	Chel, Chajul	165kW	2007*	11: Chel, Las Flores, Jua, Cajchilá, Xaxmochán, Rancho, San Joaquin, Covadonga, Estrella Polar, Ilom y Sotzil	1,600
Microcentral hidroeléctrica de Batzchocolá	ASHDINQUI / Semilla de Sol	Batzchocolá, Nebaj	90kW electric potential / 183.6 mWh of energy per year available	Jul 17, 2014	3: Batzchocolá, Laguna Batzchocolá in Nebaj; Visiquichum, Chajul	141

Source: Semilla de Sol, et al. (2015).
* = extended service in 2009 to 7 more communities

Alcaldía Indígena and *Comunidades Indígenas*

The *Alcaldía Indígena* and the *Comunidades Indígenas* of Cotzal are not recognized by the municipality. The municipal mayor, like his predecessors, argued that he was indigenous and the mayor, hence, there was no reason for the existence of the *Alcaldía Indígena*. During the movement against Enel, the *Alcaldías Indígenas* in the Ixil Region emerged, one for each of the three municipalities. Subsequently, other *Alcaldías Indígenas* emerged from other historically important communities such as Ilom and Chel, both located in Chajul.

The *Alcaldías Indígenas* in Guatemala was created during the colonial era as a form of governance among the Mayas under ladino control. According to Lina Barrios (2001) in *Tras 1as Huellas del Poder Local: la Alcaldía Indígena en Guatemala, del siglo XVI a1 siglo XX*, the *Alcaldía Indígena* was a colonial institution used in administrating the distribution of labor and tribute (ix). At the same time, they preserved indigenous culture and practices such as electing people for *cargos*. Barrios writes:

> la Alcaldía Indígena es una institución establecida por los españoles como instrumento mediador en la administración de los intereses coloniales, sobre todo en la distribución de mano de obra y la recaudación del tributo; pero en su organización interna mantuvo rasgos de la cultura indígena antigua, por ejemplo en el procedimiento de elección de los cargos (Ibid).

The *Alcaldías Indígenas* in the Ixil Region were re-created in 2007 in response to the growing threat of multinational companies in the area and consist of elders, *comadronas*, *guia espirituales* and community leaders. The *Alcaldías Indígenas* have gathered in order to strategize together and exchange information as well as drafting *Cartas Abiertas* addressed to the Guatemalan government, non-governmental organizations, and multinational companies, among

others, which promote their rights.[7] In Cotzal, the *Alcaldía Indígena* is made up of twenty core members, along with the support of advisors and headed by an alcalde who serves every year of the Maya solar calendar as opposed to the Gregorian calendar. There are only four members which have been elected to serve as alcaldes, with each member serving every four years for life. Each of these four members represents one of the four Year Bearers of the Maya solar calendar: Iq', No'j, EE and Chee. The Ixil Maya New Year for the solar calendar takes place every year in late February.

The communities of Cotzal have also moved towards establishing themselves as *Comunidades Indígenas* and achieving state recognition by having a "*libro de actas*" (book of acts) officially registered by the municipality. On July 2, 2011, San Felipe Chenlá became the first aldea in Cotzal to declare itself as a *Comunidad Indígena*. With the support of the *alcalde auxiliar* (auxiliary mayor) and the *Consejos Comunitarios de Desarrollo* (COCODE), the community placed "all authority over their lives to [the] Q'esal Tenam Tu Poj (Consejo de Principales) of the Comunidad Indígena Tu Poj" (Tu Poj, 2011: 2). These efforts are meant to have formal and ultimate authority given to community leaders (*Q'esal Tenam* in Ixil) over the states representatives (*alcalde auxiliar* and the COCODE). In mid-July 2011, there was an informational meeting in San Felipe Chenlá attended by at least one representative of the majority of the 28 communities of Cotzal where they were encouraged to create their own *Comunidad Indígena* and have their own *libro de actas*.

[7] On May 28, 2010, the three *Alcaldía Indígenas* from Chajul, Cotzal and Nebaj drafted a Carta Publica which protested the presence of multinational companies in the Ixil Region which violated their rights as indigenous peoples due to the lack of consultation, information and consent. In the *Carta Abierta or Carta Pública*, they exclaim, "Es una clara violación de los derechos de los pueblos indigenas y es la continuidad del despojo impuesto durante la invasion española y del genocida durante la guerra interna" (cited in Fundación Guillermo Toriello 2010: 44). Moreover, they demand that the government directly inform their communities about the current situation in their respective languages.

The *Alcaldías Indígenas* are at the forefront of the movements against megaprojects in the Ixil Region. They also promote *tichajil* and are involved in initiatives that seek to combat capitalist consumerist culture through education (see Chapter 5). As of the time of this writing, there are 19 *Comunidades Indígenas* (see Table 10). For communities that are majority K'iche', such as Villa Hortensia II, the *Comunidad Indígena* is known as *K'amalb'e*.

Table 10: *Comunidades Indígenas* in Cotzal

Comunidad Indígena	**Type of Land ownership/system**
1. Pulay Cotzal	Ejido
2. Asich	Ejido
3. San Nicolás	Agro Aldea
4. Xob'alpe'	Ejido
5. Cajixay	Ejido
6. La Bendición	Agro Aldea
7. Quisis	Patrimonio Agrario Colectivo
8. Villa Hortensia I	Patrimonio Agrario Colectivo
9. San Marcos Cumlá	Ejido
10. Vichemal	Ejido
11. Los Ángeles	Agro Aldea
12. La Esperanza	Agro Aldea
13. Belén	Agro Aldea
14. Namá	Ejido
15. San Felipe Chenlá	Patrimonio Agrario Colectivo
16. San Antonio Titzach	Ejido
17. Villa Hortensia II	Empresa Campesina Asociativa
18. Buenos Aires	Ejido
19. Xeputul II	Ejido

Conclusions

With a tense political and social climate in Cotzal characterized by division and violence, the arrival of megaprojects to the Ixil Region only exacerbated these conditions. Land inequality in Cotzal was not resolved during the civil war, and the construction of dams and mining have only added to these pressures. The Guatemalan government's lack of respecting and implementing international conventions and principles such as FPIC have also contributed to further tensions between the communities most affected by these development projects. The emergence of the *Alcaldía Indígena* and the *Comunidades Indígenas* in the Ixil Region is another manifestation of the ongoing resistance that the Ixil have been involved with since the First Invasion. The next chapter details Cotzal's resistance movement against Enel.

CHAPTER 3: COTZAL AND RESISTANCE AGAINST ENEL

Prelude to the Harvests of Injustice

October 17, 2015: Baltazar came to pick me up on a motorcycle to travel from San Felipe Chenlá to Xeputul II, a community that was heavily impacted by the war and who Enel hails as one of their many success stories within their corporate social responsibility programs. The visit to Xeputul II was to gain a local perspective of the dam since this is where electrical towers to transmit electricity from the Palo Viejo were built without the consultation of the communities of Cotzal.

At a distance of 24 km away from the town center, in order to arrive there from San Felipe Chenlá we travel down the main road, a dirt road with many potholes, dusty when there is no rain, and muddy and slippery when it does. A dangerous road in any season. Large trucks and buses, whether it is from the finca San Francisco or from illegal logging, defy the roads limitations as it races down as if their lives depended on it, and ironically risking all those on it.

On the main road, you pass through Cotzal's history. The site where Jorge Brol was ambushed and assassinated in 1969. The milpa and trees that stand where houses used to before the war witnessed their destruction during scorched earth, houses with members lost and disappeared during the war, and others on their journey to *el Norte*. You pass by the various ex-model villages such as Vichivalá and Santa Avelina. You pass near the mountain where the Catholic priest William Woods' plane crashed in 1976. There is an energy that exists in these lands that is different from others. In the distance and towards the end of this road, you see a majestic valley, the mountains covered in beautiful and lush forestry. Looking deeper and hearing the stories of the Ixils, you realize that the place is one characterized by violence, genocide, where

people were brutally raped and murdered, their graves continuing to be clandestine since the owners prevent their exhumation. This is the finca San Francisco.

When you arrive at the entrance of the finca San Francisco, you are received by heavily armed men who stop your vehicle and begin to aggressively ask you to state your business and the reason you are there (where you are going, why did you come, among other aggressive questions). On two occasions when I arrived there, these armed men circled the vehicle and asked for my name, personal information and reason for visit, all which was registered in a large book by the security guards. In another, a helicopter came out and circled the vehicle. One time, they asked for my identification and passport before I could enter. It felt more intimidating than any international border I have crossed. On this occasion, Baltazar told them we would be travelling to Xeputul II and they let us through. Before driving off, they informed us not to take photographs. The first time I entered the finca in 2011 and was unaware of the rules, I took two pictures and an armed security guard came out of nowhere and began yelling "*¡no toman fotos, no toman fotos*!" ("Do not take pictures! Do not take pictures!").

As you drive into the finca, you noticed the *galeras* that house the workers, along with small adobe houses. I felt as if I had travelled back in time to the era of Justo Rufino Barrios in the late 19th century. More armed men with walkie talkies are at various points of the road, and stop to ask you where you are going. There is state of surveillance and control of labor and unknown visitors. The war ended in 1996, but it feels as if the finca never got the memo. There are other larger houses made with better materials that house the administrators, professionals and other important people in the finca.

We arrived to the road that leads us to Xeputul II. The road was so heavily damaged with rocks and holes, especially since it was slippery and muddy from the rains, that we had to walk

down with the motorcycle for half the road. In Xeputul II, community leaders talked about how Enel, the finca, and the municipality have promise projects such as fixing the roads and providing electricity to the communities, promises that have fallen flat. These false promises were evident as arriving there in motorcycle, parts of the road were inaccessible and we had to walk down carefully (and later up) with the motorcycle. Nicolas, one of the leaders, talked about how the company brought solar panels, after an NGO came in offering them. While these solar panels have brought electricity into the community, these leaders hold that they are unsustainable since they cannot fix these panels if they break, and that some lamps that they received only lasted one week.

Afterwards, we had to push the bike up for about 45 minutes, and then head back home. On the way back, we see the bright lights/good electricity that the finca had along with the great inequality displayed by the colonial mansions that house administration, and the shacks of its workers. Once we hit Santa Avelina, the sun was setting in the blood red sky, and homes were already being brighten by the light of candles. The electricity went out at approximately 2pm that day and it would be another 36 hours until Cotzal enjoyed the accompaniment of the artificial light that generates millions for Enel, a company based on the other side of the world.

The Ixil Region has been inundated by foreigners who have displaced and marginalized the Ixils who suffer from the blatant inequalities that benefit outsiders. This layered history of violent invasions places into context the conflict that erupted in Cotzal with the arrival of Enel. While hydroelectric dams are associated with the production of clean and environmentally friendly renewable energy, the case in Cotzal demonstrates the tensions, conflicts, and inequalities that exist between indigenous communities, the state at all levels, and multinational corporations.

Memories of resistance, invasion, colonization, war, displacement, and violent development models place into context the current political and social situation of Cotzal.

Community leaders fighting against the abuses of the municipality and Enel have been criminalized and labeled as "radicals" and "terrorists"; similar terms were used by the military to dehumanize and justify the massacres of the 1980s against the Maya. As a result, many in Cotzal decided not to join the movement against the dam out of fear that they will experience violence and have taken a neutral stance. The role of plantation owners during the war and their collaboration with companies building dams has exacerbated these concerns and fear. At the same time, there are some who want the dam to be constructed since they believe it will provide employment as well as bring about other benefits. These divisions have contributed to conflict in Cotzal and the Ixil Region as well as in other parts of Guatemala. The communities in resistance view the arrival of megaprojects as the Fourth Invasion, and it is through the struggle against the Palo Viejo dam that provides a more detailed account of the conflict emerging from these projects.

This chapter traces the arrival of Enel to Cotzal and the impact it had on the communities. It delves into the multitude of issues that have emerged from this new invasion that are representative of other conflicts involving megaprojects in Guatemala and elsewhere. These include human rights abuses, involvement of the military, and the persecution, defamation and criminalization of indigenous communities and authorities.

The Arrival of Enel to Cotzal

Enel is a company based in Italy, which operates globally in Europe, North America and Latin America, and promotes itself as a producer of green energy through the use of sustainable and renewable energy such as wind, geothermal and hydroelectric power. Enel reports that their operations avoid the production of 16 million tons of CO2 emissions every year, thus contributing to environmental protection. In Latin America, Enel operates thirty-three plants and produced "669

[megawatts] of renewables capacity and an output of 3.6 TWh in 2010" in Mexico, Costa Rica, Nicaragua, Panama, El Salvador, Chile, Brazil and Guatemala (Enel Green Power, 2010: 8). Enel states that the Palo Viejo hydroelectric plant has the "capacity of 84 MW" and will produce 370 million kWh of power per year, and thus, avoiding 280,000 tons of CO2 emissions every year (Enel Green Power, 2012). What Enel fails to mention on their website is the social division and conflict which Palo Viejo has created.

Social Divisions and Conflict

In 2005, the municipality of Cotzal under the administration of Municipal Mayor Baltazar Toma Sambrano (2000-2008) informed the *alcaldes auxiliares* (auxiliary mayors) and members of the COCODEs, about the pending construction of a hydroelectric dam by Enel on the finca of San Francisco. *Alcaldes auxiliares* were created by the state and act as intermediaries between the municipality and the aldeas/communities, and are usually elected by the community. COCODEs are community leaders selected by the community and deal with issues related to the development and security of the community. The community leaders present at the meeting with Toma Sambrano then went to their respective communities to inform them about the proposed dam by the municipality. The response of the communities was the complete rejection of the project. Community leaders say it was at this moment that the communities of Cotzal stopped receiving information about the dam. It is at this time that the map of the ejido which establishes the limits of the municipality went missing. Many claimed that it was the *sindicado* (municipal official) who stole it, who was the then and current administrator of the finca San Francisco. He has denied his involvement in the missing ejido map. This is important since there are questions of whether or not the dam is being constructed outside of the fincas actual territorial limits. Similar questions

about land ownership where dams are operating have also emerged with Hidro Xacbal and Hidro Xacbal Delta.

In May of 2008, through Municipal Mayor Pérez Chen, the communities learned again about the planned construction of the dam which was to begin that same year. As a result, the communities gathered together in Santa Avelina where they wrote a letter to the Municipality on June 16, 2008 which outlined their demands for consultation with the company before the construction of the dam. The mayor disregarded the communities' demands, and instead sent armed men to intimidate community leaders.

As a result of the construction, the communities of Cotzal began to organize and protest against it and requested a meeting with Enel. Between 2008 and 2011, these efforts led to intimidation and threats against the communities. For example, in August 2008, opponents to the dam held a march and protest in the community of Pulay to demand consultation, and in response the municipal mayor sent armed men to break-up the protest. The municipal mayor threatened one of the community leaders directly and persecuted another indirectly. The threats were so serious that these two community leaders received personal security from the state at the suggestion of the Inter-American Court of Human Rights.

On March 15, 2009, two young men were hit and killed in Santa Avelina by a construction truck headed for the finca. Allegedly, Enel paid the victims' families 500 thousand quetzals to keep quiet and not press charges. As a result of this incident, Antonio, the president of the COCODE of Santa Avelina, states that people started to get further involved in the movement against the dam. After a meeting in Santa Avelina in April 2009, Baltazar de la Cruz was detained by a group of armed men and interrogated by the vice-alcalde of Cotzal about his activities in the

movement. It was in this setting that Enel offered the communities of Cotzal development projects in return for their support, but even after pledging this support, these promises went unfulfilled.

False Promises

Enel, the Brol family and the administrators of the finca San Francisco began a campaign among surrounding communities of the finca to gain support for the construction of the hydroelectric dam by promising development projects and other benefits. This was particularly the case for communities such as San Marcos Cumlá and Xeputul II, which are situated close to the finca and what Enel would later call the communities who are within the "area of influence". According to various members from these surrounding communities, Pedro Brol visited their communities and promised projects that he would be able to carry out since he was a partner of Enel and the dam would be on his finca.

In some cases, participants of community meetings write and sign *actas* (acts) of meetings to ensure transparency and to hold people responsible for what is said. An *acta* are the minutes of the meeting and provide a summary of what is discussed and collected, and is written down by the *secretario* of the community. These *actas* read out before being signed and sealed (if applicable) by participants, and it can be signed within a limited amount of time by others not present. Given past abuses in which people were forced to sign their names or provide a fingerprint as an alternative for illiterates, reading the *acta* out loud and having it in a written format aids in decreasing fraud and deceit, although it is not perfect, especially since it is in Spanish. At the same time, these documents are summaries of meetings and sometimes details, such as specific promises, are not documented properly. These are legal documents written in a book of *actas* (*libro de actas*) in which each single page on both sides needs to be sealed by the municipality in order

to have validity. The *alcalde auxiliar* is the official that represents the municipal mayor in each community, and each is elected through a community assembly every year and who begins to serve on January 1. Thus, these *actas* are important documents that enjoys the legitimacy of the municipality.

On Monday July 7, 2008 at 8A.M. in the community of San Marcos Cumlá, various community authorities that included the *alcalde auxiliar*, COCODE, the committees on education, women and land, met with Pedro Brol to discuss Enel and the benefits and support that the Palo Viejo dam will bring. According to the *Acta No. 08-2008*:

> Pedimos a la empresa idroelectrica [sic] Palo Viejo cumplir fielmente con la construcción de los proyectos ya firmados y por firmar el día de hoy. Los siguientes proyectos son: Construcción de carretera y su [balasto], cumplir con la energía idroelectrica [sic] a San Marcos Cumlá con la tarifa Rural y no al alza sin ninguna consulta a la comunidad apoyante (San Marcos Cumlá, 2008)

The community also requested that vehicles not pay a fee and have access to the road during emergencies twenty-four hours a day. While not specified, this request was during the time that the finca San Francisco charged vehicles to enter and pass through the fincas on the only main road, as well as shutting down the road at night at their gate. In addition, the community stated that they did not want the "exploitation nor exploration of natural resources in their territory", as well as not accepting any petroleum companies to operate in their communities or municipality (Ibid, translation mine). They claim that only through these agreements can they "avoid conflicts" (Ibid, translation mine). They conclude by requesting that the company voluntarily sign and seal the *acta*, which would then form a mutual agreement between the community and the company. The meeting lasted an hour and a half, and the *acta* was signed by the authorities of San Marcos Cumlá

and Pedro Brol who included his seal that reads "EMPRESA AGRICOLA, SAN FRANCISCO, COTZAL, S.A., ADMINISTRACION" (Ibid). The company never signed or sealed the *acta*. Despite the lack of signing by Enel, the *acta* informs us of a few things, and which is supported by what multiple people told me from various communities of Cotzal. As of today, the community of San Marcos Cumlá remains without electricity, an accessible road, nor has any direct benefits from Enel.

These strategies of garnering support of the communities of Cotzal for the Palo Viejo project are said to have been based on a logic of divide and conquer, in which the company approached each community separately as opposed to doing so as a collective of communities. In addition, when there existed opposition within a community, Brol and the agents of Enel excluded certain people from the process, wait until they were away from the community, or try to buy people off. Jose describes that when Pedro Brol requested that the community of Villa Hortencia Antigua support the project in 2008, he initially opposed the idea as the then-president of the COCODE in consensus with the rest of the community. At the time, he acknowledges that there were a small number of people in the community who were in favor of the project. Thus, Jose says that when he was away from the community for a few days, Pedro Brol approached the community again and got the approval of the community. Similarly, another leader from Santa Avelina states that in 2008 while he was the head of the COCODE's committee of land, Brol called him to his finca and attempted to gain his support for the construction of Palo Viejo by stating that this will bring employment to the people of Santa Avelina. He said that he could not in good conscious make decisions for the community as an individual. Thereafter, the leader from Santa Avelina claims that at least two employees and representatives for Brol visited his house on various

occasions to make offers in order to gain support for the project; in other words, offer him a "bribe" and "gifts" for his support.

Construction of Palo Viejo, Damages, and Environmental Degradation

The arrival of Enel saw an influx of hundreds of trucks coming in and out of Cotzal using the main road that begins in Nebaj and goes through the communities of Pulay, Cotzal, San Felipe Chenlá, Vichivalá, Santa Avelina, before arriving to the finca. At the time of construction, this caused serious problems since the road itself runs along the curvy mountain sides in which trucks scarcely fit, as well as presenting a public hazard on market days in Santa Avelina where there is the risk of hitting pedestrians since many vendors sell on this road. The dangers of these trucks were made evident with the deaths of the two young men from Santa Avelina mentioned earlier. The construction of the dam caused hardships for the communities of Cotzal.

In 2010, the company blew up hills with dynamite as part of construction. Many residents from surrounding communities reported that the sounds of the explosions and the trembling that frightened many of their children as well as bringing back bad memories of the war. In one incident, the company blew up a hill where bats were living. Consequently, the bats flew throughout Cotzal and began biting cattle, pigs and other animals from various communities including, Villa Hortencia Antigua, Santa Avelina, San Felipe Chenlá and Cajixay. As a result, all the cattle, pigs and other animals that were bit, were killed and burned, since their owners feared that their consumption might lead to health issues. The loss of these animals led to economic losses to their owners. Enel has denied responsibility.

An Environmental Impact Assessment (EIA) is required by the Ministry of Mines and Energy (MEM) to be conducted in order to determine the environmental impact of hydroelectric

dams. These studies are normally written in very technical language, consisting of hundreds of pages and available on request only in the capital. In a study conducted in February 2010 entitled "Observaciones Técnicas al Estudio de Impacto Ambiental del Proyecto Hidroeléctrico Palo Viejo, San Juan Cotzal, Quiché, Guatemala," the authors contend that much of the information presented in the EIA for Palo Viejo is poorly organized and the maps and data provided make it difficult to determine the borders of the project (Grajeda Godínez, 2010). In addition, the EIA study lacks sufficient data on the flora and fauna in the area which may be affected by the project, particularly endangered species (Ibid). The poor collection of information in the EIA thus makes it difficult for communities to have access to reliable information that would allow them to make an informed decision as to whether or not give or withhold consent.

In November 2013, along with an Ixil ancestral authority and another researcher, I visited the community of San Pedro Cotijá, Uspantán, a community that runs along the Río Copón river. The purpose of the trip was to verify the impacts of the river after it passes the Palo Viejo dam after hearing from members of the *Alcaldía Indígena* of Cotzal, Fundamaya and international observers about its negative effects. The community of San Pedro Cotijá forms part of the Zona Reina and where along with over 40 communities, including those in Alta Verapaz and Ixcan, are resisting the proposed construction of the Hidro Xalalá. The majority of the communities are Q'eqchi' as well as other groups such as K'iche' and the Ixil who sought refuge in the Zona Reina during the war and formed part of the CPRs and guerrillas. It took two days to arrive to this community. There are two ways to arrive to San Pedro Cotijá from Cotzal, which involves entering the finca San Francisco and taking a road that is damaged by constant mud and rock slides. This route is faster than the second option, but sometimes it is inaccessible or too dangerous. The second option (the one we took) is to travel to the town center of Uspantán and stay there for the night and

head out the next day. Many of these roads were heavily damaged and transportation is made only by a 4x4 truck which is filled beyond capacity and at times the passengers need to push the vehicle. To arrive and pass by these communities also requires accompaniment by a *conocido* (someone locals know), otherwise people may view you with high suspicion as an outsider due to the various efforts by the state, foreign companies and other outsiders who have caused damage to their communities as well as the plans to build the dam. All this to say that it is very difficult to visit some of these communities and obtaining more data and information presented below is much needed.

When we arrived, the community was in celebration since they had inaugurated their first road made of *terraceria* (paved dirt road). We met with community leaders from three communities from Uspantán: San Pedro Cotijá, Playitas Copón, and Caseria los Encuentros. Community leaders stated that before the construction of Palo Viejo, the river Copón was clean and was a vital source of daily life as people used it to bathe in it, wash their clothes, swim, and fish. During and after the construction of the Palo Viejo dam, they began to notice that the fish and other marine life such as shrimp and crabs that lived alongside the river began to die. The river would turn brown and greasy for days. They did not know what caused this, and they were not warned nor heard anything from Enel or the finca San Francisco that something like that would happen.

According to a study conducted by Fundamaya on January 21, 2012, it was discovered that 529 out of 738 families from 12 communities that lived besides the river Copón in the municipality of Uspantán and Ixcan, depended on fishing for family consumption as well as a source of income (Roberts, 2012: 1). After the construction of the Palo Viejo dam, the water became contaminated by unknown chemicals, and many of the fishes in the river began to disappear. In 2006, the 12

communities fished about 239 pounds per week per family, compared to only 12 pounds in 2012. At the time of the study, market prices for fish was $2.60 per pound, and it was estimated that the economic impact of these 12 communities was a loss of $28,301 per week, and $339,612 per year (Ibid: 1-3). During my visit to San Pedro Cotijá, community leaders confirmed the findings and figures of the Fundamaya survey.

One of the leaders shares his memories regarding the health and environmental impacts the construction of Palo Viejo had on children and marine life: "algunos niños salieron…con unos granos en la piel…por el rio que ya está contaminado…algunos peces lo encontramos a la orilla del rio, peces, cangrejos, camarones empezaron a morir". Community leaders also demonstrated concern for their children and future generations since there was no more fish in the river. For them, "el rio es nuestra sangre, es nuestra vida, y jamás lo vamos a vender…nosotros estamos luchando ahora, y nuestros hijos, nuestros nietos y bis nietos ellos quedaran al a vez de nosotros en lucha". In addition, the water continues to become dirty and muddy on an irregular basis and can occur from two or three hours, to two to three days. Community leaders claimed that the river is dirty and contaminated for approximately half the month. During the visit, I witnessed that the water was muddy and visibly contaminated for about three hours. Community leaders view this as a clear violation of their rights, of which have been ignored by Enel and the state. Even after the end of construction of Palo Viejo, the economic and community life of the people continues to be impacted by the contamination of the river.

The construction of Palo Viejo in Cotzal has led to a new wave of conflict between the municipality, the state and the company, and the communities of Cotzal. In response, the people of Cotzal have organized in order to ensure that their rights to consultation and authority over their ancestral territories and natural resources are respected by all parties involved. While the

communities at first tried to begin dialogue with Enel through the municipality with protests and open letters, they failed to get their attention; as a result, after much discussion, they resorted to stopping all production of the dam through a blockade.

Blockade in San Felipe Chenlá

After years of trying to start dialogue with Enel, the communities along with ancestral authorities in the form of the *Alcaldía Indígena* of Cotzal decided to launch a blockade on January 3, 2011 as a form of nonviolent resistance in order to demand that their natural resources, territorial rights and to consultation be respected. The blockade was also a response against the violence that they had suffered at the hands of Enel and the municipality. The blockade was held in San Felipe Chenlá, where the only road to the finca was blocked by a large metal pole. Groups of men took turns in patrolling the road 24-hours a day, and prevented any cars and trucks that belonged to Enel and the finca to pass.

During the first week of the blockade, Pedro Brol-Cortinas arrived to San Felipe Chenlá to plead with the protestors to allow Enel's trucks and machinery to pass. In response, the protestors declared that before they did, Brol must remove the pole he had in place at the entrance of the finca of San Francisco. Many complained that in order to reach other aldeas or their plots, they were forced to use the main road that passed through the finca. Every time they were stopped at the entrance by heavily armed men who charged them a fee if they entered with vehicles. Brol agreed and that same day he was reported to have removed the pole blocking the entrance of the finca. This was one of the communities first victories of the blockade.

The communities of Cotzal then extended an offer to meet with Enel and representatives of the state in San Felipe Chenlá on January 7 to find a peaceful resolution to the situation. Instead,

the Colonel of the Military Zone of Huehuetenango came to San Felipe Chenlá on that date stating that he was there as part of his military duties. The communities in opposition to the dam viewed his visit as an intimidation tactic against the Ixils. On January 10, representatives of Enel came to San Felipe Chenlá and revealed that they were paying the municipality Q800,000 every year and had consulted with the municipality about the project.

The state, both at the local and national level, responded directly to the blockade and other events in the Ixil Region. During this period, eight electrical towers attached to Hidro Xacbal, another dam being built in neighboring Chajul, were knocked down by unknown assailants with the first being knocked down in November 2010, and three more on January 29, 2011. In response, on February 3, President Álvaro Colom (2008-2012) addressed the situation in the Ixil Region involving the dams and said:

> I have sent delegates to solve the problem of the illegal obstruction of the road in San Felipe Chenlá.…there are illegalities being committed…The only people that can detain or interrupt traffic of people or vehicles it the national police or authorities. Respecting law and order is a guarantee to peace in the area (Gobierno de Guatemala, 2011, translation mine)

Colom goes on to guarantee that he will capture those responsible for the destruction of the towers. He said "to the honest working people of the area, I guarantee that the region will not become famous for being *savages*" (Ibid, emphasis and translation mine). He urges the people of the Ixil Region to denounce the attackers of the towers who he associates with "organized crime" and labels as "terrorists." Colom adds, "this will help your President Colom to ensure that *terrorists* of any type return to the Ixil area where much blood was paid for peace and tranquility" (Ibid, emphasis and translation mine). Coverage of the towers and the blockade were usually coupled

together in the same articles in the media as was done in Colom's speech. Thus, the protestors in San Felipe Chenlá, who were portrayed as performing "illegal" activities, were also associated with the "savages" and "terrorists" responsible for knocking down the towers. People in Cotzal continue to remember this and claim that they are still upset to be labeled and associated with being terrorists, savages and criminals.

Similarly, the media presented the protestors of Cotzal as radicals or as those who were risking the jobs of the approximately 1,000 workers of Enel (Figueroa, 2011; Kaltschmitt, 2011). In a 2011 opinion piece featured in the Prensa Libre entitled, "*Cosecha Insana*" ("Insane Harvest"), Alfred Kaltschmitt, a right-wing conservative and founder of the NGO Agros, criticized the protestors in Cotzal.[8] Kaltschmitt, who attended a small meeting between the communities and Enel in February in San Felipe Chenlá, writes:

> ...este columnista fue testigo de una actitud intransigente, radical y contestataria que raya en lo insólito. Es el fruto, en mi opinión, de la irresponsable propaganda anti-minera y anti-hidroeléctricas que *grupos extremistas* amparados en la causa ambientalista vienen impulsando desde hace años y en no pocos casos hasta con financiamiento de algunos países europeos que ahora se arrepienten de la caja de Pandora abierta...Los atrasos para este tipo de proyectos tienen un costo inmenso. No es solo la empresa que invierte en el proyecto, sino a las otras empresas extranjeras subcontratadas para la construcción de infraestructura y tecnológica. ¿Quién se atreverá a venir a Guatemala para invertir en este tipo de proyecto? Por cierto, el "único" tipo de proyectos que tiene un alto impacto económico de largo plazo (Kaltschmitt, 2011, emphasis mine)

[8] Kaltschmitt testified on behalf of Rios Montt during his trial in 2013.

Kaltschmitt, as noted in the above quote, argues that the blockade threatens future investments in Guatemala towards dams and other megaprojects.

The state's presence in Cotzal was felt when the military arrived to the Ixil Region on three occasions. The first occurred on February 14, 2011, when one-thousand police and soldiers came into Cotzal to arrest Municipal Mayor Pérez Chen who had a warrant for his arrest for his involvement in the lynching of a police officer in November 2009 (which they failed to do). The second occurrence was on February 23, the Maya New Year, when a thousand soldiers entered Nebaj to capture those responsible for the attacks on the electric towers. This was the same day that the US Ambassador, Stephen G. McFarlan, visited San Felipe Chenlá to celebrate the Maya New Year as well as observe the blockade. According to community leaders, the purpose of their visit was to make the presence of the state known in the municipality; in other words, to showcase that the state was not afraid to send in the military into Cotzal again as they did during the war.

The military directly confronted the protestors on March 18, 2011, when 700 policemen and soldiers along with three helicopters entered San Felipe Chenlá in an attempt to arrest nine community leaders and end the blockade. By January 2011, these leaders were being persecuted legally by Enel when they pressed charges. These leaders were: Concepción Santay Gómez (San Felipe Chenlá), Antonio Pérez Martínez (Santa Avelina), Francisco Castro Ixcoy (Santa Avelina), Nicolas Pérez Toma (San Felipe Chenlá), Gabriel Torres Cavinal (Vichivalá) Pedro Sambrano Rodríguez (Cotzal), Baltazar de la Cruz Rodríguez (San Felipe Chenlá) Maximiliano Poma Sambrano (Cotzal) and José Mario Pacheco (Vichivalá).

The presence of the armed forces in Cotzal had a psychological effect on the people who had experienced the violence in the 1980s and many claimed that it felt like the war. This was characterized by near nervous breakdowns and the fainting of two women. In a video testimony

describing the impact of the soldiers who arrived to San Felipe Chenlá on March 18, a young woman stated while crying:

> Están enfermas y se desmayaron, ¿por qué? Porque el gobierno mando a los soldados, y los soldados tenían pasamontañas, muchas personas se asustaron, y ahora están enfermas, ¿por qué? Porque ellos pasaron en el conflicto armado, aunque ahora no sé cómo fue eso, pero, mi madre me está contando…que mi abuelo fue secuestrado y mi madre me cuenta toda su historia, y ahora a mí me da pena, ¿porque? Porque ahora no tengo abuelo, nosotros somos pobre, mi abuelo tenia terreno, pero…los soldados y toda la gente los que tenían envidia de mi familia le robaron el terreno a mi abuelo, por eso mi mama está ahora en mi casa, pero ella está muy triste por su papa, porque mi mama tenía ocho años cuando los soldados vinieron.

As we can see through this testimony, the young woman provides a clear link between the violence of the 1980s and the fear that these soldiers caused. While she did not experience the war directly nor had she known her grandfather, it is clear that the stories that her mother shares with her also cause her discomfort, pain, grief and "*pena*". The young woman makes it known that many of the survivors of the war continue to have trauma that was triggered by the mere presence of the soldiers.

The presence of the soldiers also served as a deterrent for people to become involved in social movements and issues. A resident of Santa Avelina and not involved in the movement, was in Nebaj when the soldiers arrived. He says:

> Since I did not support there [San Felipe Chenlá], then I was calm, since I did not support them, if I would have supported them, if the military comes, what would I do,

right?...maybe they will take me….maybe it is against the leaders…it was not too long ago that the war happened, and again, they come back…problems (translation mine)

This resident expresses a fear to be involved in any way with the movement against Enel due to the bad memories of the war and adds that if he was not interested in joining the movement before, the arrival of the military provided a greater incentive not to. He claims that the finca and the company are worth millions and have guns, and asks how can they stand up to them and win. It was the arrival of the soldiers in March 2011 that continued creating an atmosphere of violence and intimidation reminiscent of the terror of the war that further deterred people from becoming involved in the movement against the dam.

Throughout the blockade, Enel approached various communities in an effort to convince them to leave and renounce the movement. They were able to get the official support from the *alcaldes auxiliares* of the communities of Vichivalá and Quisis who officially abandoned the movement in San Felipe Chenlá. Many say this support was only obtained through intimidation which was furthered with the presence of the soldiers in March. Some community leaders claim that during this period, many were living under the threat of violence and possible incarceration due to their involvement in the movement.

On April 5, 2011, after four months of the blockade, the communities of Cotzal and Enel reached an agreement to begin dialogue. The conditions included dropping all charges against the nine leaders who had a warrant for their arrest, and to have open and public dialogues. Part of the dialogue would include *Testigos de Honor* (witnesses), who would accompany the process. The communities of Cotzal had Monseñor Álvaro Ramazzini and Reverendo Vitalino Similox as their *Testigos de Honor*, and Enel elected ex-guerrilla member and sociologist Gustavo Porras. The communities of Cotzal and Enel met on May 2, 2011 in order to discuss the terms of dialogue and

the end of the blockade. It was during this period that 700 members of the armed forces were again called upon from throughout the country and came into Nebaj. There were rumors that they were going to come into San Felipe Chenlá to arrest the movement's leaders and break the blockade. Whether or not these rumors were true, the negotiations were tense and rushed, but at the end there was an agreement to end the blockade and meet again for the first official dialogue meeting a week later. This would be considered by some in Cotzal as a "*dialogo forzado*" since they felt pressured to end the blockade with the presence of the military.

During the first meeting of the dialogue the communities of Cotzal and Enel formally adopted, signed and sealed the guidelines for dialogue.[9] Among these guidelines were mutual respect and recognition of the ancestral authorities as the legitimate representatives of the communities of Cotzal. These discussions were also to be free of coercion and threats such as legal prosecution. The need for dialogue was viewed as an important step in having mutual discussions between the communities of Cotzal and Enel, something that the communities have been requesting for years.

---

[9] See "Bases para el Proceso de Dialogo entre la Empresa Enel y las Comunidades de San Juan Cotzal" (2011). These guidelines for dialogue were:

1. Durante el proceso de diálogo no se utilizarán medidas de coerción por ninguno de los actores. No se utilizarán medios de presión o amenazas tales como denuncias penales, ni de cualquier otra naturaleza, ordenes de captura, allanamientos, desinformación ni intentos de cualquier tipo para dividir a las comunidades.
2. El proceso de diálogo será de buena fe, procurando que la comunicación entre las partes sea con respeto, cortesía y franqueza, y haciendo ambas partes las consultas que correspondan, de manera que el diálogo sea participativo y que las resoluciones que se adoptan sean firmes y duraderas, procurando el bien común de las comunidades.
3. Enel reconoce y respeta a las autoridades ancestrales como representantes legítimos de las comunidades indígenas involucradas y como interlocutores de la empresa en el proceso de dialogo. Las comunidades reconocen que Enel Guatemala es una sociedad
legalmente establecida en el país.
4. Se reconocen los derechos asociados a la propiedad pública, privada y comunitaria garantizados por la Constitución Política de la República de Guatemala, así como los derechos que el Estado de Guatemala y el Convenio 169 de la OIT otorgan a las comunidades indígenas particularmente sobre los territorios que tradicionalmente han ocupado y utilizado como medios de vida de las comunidades indígenas
5. Las propuestas de acuerdos se someterán a consulta y aprobación de las comunidades involucradas en el dialogo y de las más altas autoridades de Enel.
6. Los acuerdos finales se harán constar en escritura pública y de forma judicial ante el órgano competente.

Dialogue

After four months of the blockade, on May 2011, the communities of Cotzal and Enel came to a written agreement to begin dialogue. Part of that agreement included that Enel would "recognize and respect the ancestral authorities and legal representatives of the involved indigenous communities and as intermediaries for the company during the dialogue" (Bases para el Proceso de Dialogo, 2011). The Municipal Mayor Pérez Chen at the time was in hiding for the death of the police officer in 2009, and the municipality played little role during the dialogue, which may have contributed to Enel agreeing to dialogue. The demands of the communities of Cotzal at the dialogue were:

1. 20% of the energy produced by the Palo Viejo dam;
2. Pavement of the main road, which is approximately 16km;
3. 8 million quetzals every year for 20 years that the dam operated that would be used for local development;
4. Creation of a Commission to inspect and repair damages caused by the dam.

These demands were again presented to Enel during the sixth meeting in mid-July, in which the representatives for Enel claimed that they would take these to Rome where there was a scheduled meeting at headquarters at the end of July to discuss the situation in Cotzal. During the seventh meeting between the communities of Cotzal and Enel in August 2011, the company officially rejected these demands and instead offered to provide microcredits, scholarships and a technical school in the town center. The communities rejected these offers. Enel continuously argued that the meetings be held outside of Cotzal and in private, and the communities objected on the basis that the meetings needed to be made public in order to maintain transparency.

Among the issues that stalled dialogue included representation. While the communities of Cotzal claimed that Enel was in dialogue with 28 communities of Cotzal, Enel contended that it only wanted to dialogue and provide compensation to the twenty communities it deemed within the dams "sphere of influence." This issue became a source of contention when Enel, in "good faith", offered to give 43,104 tin sheets to twenty communities, which equated to sixteen tin sheets for each family. The second issue Enel had was that there were nine representatives or *voceros* that the communities of Cotzal elected through consensus, and to represent them at the dialogue; Enel made calls for there to only be three representatives. Community leaders have complained that while Enel has offered to provide detailed information on investments and profits from Palo Viejo, it is on the condition that dialogue be conducted behind closed doors with only the nine *voceros* present without the presence of the delegates of the 28 communities, advisors, observers and lawyers and that this meeting take place outside of Cotzal.

After various months of meetings, Enel ended communication with the communities of Cotzal and abandoned the dialogue. There were various attempts by the communities of Cotzal to continue dialogue with the aid of the *Testigos de Honor*. On November 13, 2012, more than a year after Enel had abandoned the dialogue, the company's national representative, Oswaldo René Smith González (*Mandatario General con Representación Enel-Guatemala*), wrote to Vitalino Similox to reaffirm their commitment to dialogue (Smith González, 2012). Unknown to the communities of Cotzal, by November 2012 Enel was secretly beginning to negotiate with the municipality.

During the blockade and the negotiating process, the municipality has played a minor role, mainly because Municipal Mayor Pérez Chen was in hiding until his eventual capture. With the upcoming Presidential and municipal elections in September 11, 2011, the communities of Cotzal

organized a meeting in San Felipe Chenlá on September 2 with the seven candidates running for municipal mayor, where they were asked questions by delegates of the 28 communities. In addition, they were asked to sign a document entitled "*Carta de Compromiso de los Candidatos a Alcaldes Municipales de San Juan Cotzal 2011*", where the candidates committed to abide by a list of demands if they were elected. Among these commitments was not to authorize any more dams, mines and petroleum projects in Cotzal. One of the candidates was Baltazar Cruz who was running with *Partido Patriota*, the political party headed by General Otto Molina Pérez who is accused of human rights abuses committed during the war while serving as a Major in the Ixil Region during the early 1980s. Molina Pérez was then running for the Presidency. Both Cruz and Molina Pérez won.

In March 2013, without warning it was publicly announced that Enel had arrived to a new agreement with the recently elected and new Municipal Mayor Baltazar Cruz Rodriguez. This was done so without the knowledge of the ancestral authorities or the communities, and their meetings were held in private. According to Enel in a document a year after the agreement was signed, the municipal mayor asked them "for a reasonable period of time to consolidate his position and then hold a constructive dialogue that would result in solutions" (Enel Green Power, 2014a: 8).[10] Dialogue began in "November 2012", and only included members of the municipal council and representatives of Enel which formed a Technical Table (Ibid). The first meeting established the methodology that would be used in dialogue. A "Working Table" was established in and the "negotiation process was conducted on December 21, 2012, date of the change of era or Baktún, as per the Mayan Calendar". Enel adds that this date "is considered as a time of change and a good

[10] The Enel document is entitled "Cooperation Agreement between the San Juan Cotzal Municipality and Enel Green Power Guatemala: A year later" (2014a). While there is no date or year available in the actual document, it became available online in 2014. The report is also available in Spanish (Enel Green Power, 2016b).

omen for cultures descending from the Mayan civilization." After months of discussion, on March 11, 2013, "a public ceremony" was held in the municipality where the municipal mayor presented the agreement to the *alcaldes auxiliares* and presidents of the COCODEs, which they subsequently supported according to Enel (Ibid: 9). It is important to note that while Enel passed this as a form of "support", it was not a form of consultation, nor a meeting meant for input, but rather one of a "ceremony".

The new agreement was signed at the presidential house with the participation of President Otto Pérez Molina (2012-2015), who was the military commander of the Ixil Region at the height of the violence between 1982-1983. In a report by Enel regarding the new agreement with the municipality, it is revealed that the annual contributions of Enel to the municipality increased from 800,000 to 2.3 million quetzals or "85% of the income of the municipality" (Ibid: 10). In addition, the document claims that for each quetzal that they give, the Municipality also receives another Q1.90 from the state (Ibid). This means that as a result of the agreement, the municipality receives approximately 64 million quetzals a year for the next 20 years (Ibid). The president, Smith González, and the municipal mayor hailed the agreement as a great achievement since it would allow the dam to operate without any conflicts.

Since this agreement was done in private between the municipality and Enel and without the consultation of the communities, particularly those involved in the protest and dialogue with Enel, the news was a complete surprise. Coincidently, members of the *Alcaldía Indígena* of the Ixil Region were in a meeting in the capital and they went to the presidential house where they confronted the municipal mayor. The moment was captured by *Guatevision*, a news channel, whose news report stated that the municipality and Enel "put to an end to the conflictivity for the operation of the hydroelectric dam Palo Viejo…with the subscription to the agreement which

according the municipal [mayor] was previously approved by the COCODEs and community mayors" (Xeol Vitz Chaq'ala 2013, translation mine). The tense moment also saw the Municipal Mayor Cruz Rodriguez and the *Alcalde Indígena* of Cotzal Santay Gómez standing face to face and surrounded by news outlets, members of the municipal council and other ancestral authorities. Santay Gómez asked Cruz Rodriguez why he was not invited to the meeting two days earlier regarding the agreement. A reporter than asked Santay Gómez how many were not content with the agreement, and which he answers that during the dialogue there were 28 communities being represented. The municipal mayor is then asked by the same reporter if those 28 communities were taken into account. Cruz Rodriguez than said:

> El problema es que ellos forman un grupo paralelo a la municipalidad de San Juan Cotzal a los representantes del municipio de San Juan Cotzal, entonces en ningún momento, igual ellos excluyeron al concejo municipal en su momento, y ahora se sienten excluidos (Ibid).

Santay Gómez then states to a reporter regarding the actual outcomes of the agreement as "una miaja nada más, realmente esta es una miaja que la empresa los deja a la población de San Juan Cotzal" (Ibid). The news story ends with the reporter claiming that the municipal mayor said that he had between 80-90% of support of those who attended the meeting regarding the agreement.

The importance of this news story is the public and representative nature of how Enel and the municipality attempted to represent themselves as consulting the communities of Cotzal and providing benefits. If it were not for the *Alcaldía Indígena* confronting the municipal mayor publically, there would be no mention of the dialogue in the news story. In addition, the municipal mayor stated that the protestors excluded the municipality from the dialogue, but there was no mention on how the municipality at the time were repressing the communities and that then-Municipal Mayor Pérez Chen was actually in jail as part of this repression. Moreover, the reported

80-90% of support is not equivalent to consensus under traditional Maya norms, since consensus is not a democratic system, it is one that needs everyone to be in favor through discussion and debate in order to ensure transparency and agreement as had been attempted during the dialogue that Enel had abandoned. That the news about the agreement only reached community leaders two days before, suggests that the leaders were called in for a meeting to inform them. These leaders by no means had the opportunity to inform their communities. Anyone who lives in Cotzal can tell you that sometimes travelling from communities surrounding the finca and the closest to the project, such as Buenos Aires, Xeputul I, Xeputul II, San Marcos Cumlá, and Villa Hortencia I, that travelling to and from the town center can take up to a day and tiresome. Calling a community assembly to inform community members and gain their input is another time-consuming endeavor. Consultation and consensus takes time and effort, and two days before the final agreement is signed is not enough time.

After the end to dialogue and there was fear and serious concern that the government would declare a state of siege in Cotzal, particularly following the invasion of the military and police to San Felipe Chenlá. The new president was Otto Pérez Molina, who is known as Tito Arias in the Ixil Region when he was the military commander there during the height of the massacres in 1982-1983. At the national level, Pérez Molina had already declared a state of siege in Santa Cruz Barillas in May 2012 to arrest and repress protestors against a hydroelectric dam. On October 4, 2012, the military opened fire on protestors who were peacefully marching on the highway in which six ended up dead and at least thirty-three injured. In the Ixil Region, along with the movement in Cotzal, the communities of Nebaj had recently placed an *amparo* against the hydroelectric projects La Vega I and La Vega II. To add fuel to the fire, the new municipal mayor

requested the establishment of an army garrison to the Minister of National Defense on April 20, 2012. The official reason was to provide additional security to combat delinquency.

After the request to the Minister of National Defense, the municipal mayor sent a letter to the communities of Cotzal regarding the army garrison on May 3, 2011 during a meeting at the municipality with community leaders. On May 7, 2012, the community leaders of San Felipe Chenlá responded with a letter that read:

> …como Autoridades comunitarias queremos informales que hemos consensuado que la decisión no le compete a los habitantes de nuestra comunidad San Felipe Chenlá, esto debido a que el año pasado 2011 durante los primeros meses, el ejército sembró nuevamente terror en nuevamente terror en nuestra comunidad recordando los años 80 cuando se vivió el conflicto armado interno, el ejército irrumpió en nuestra comunidad por más de tres ocasiones y helicópteros sobrevolando nuestra comunidad y desde allí vimos la reacción de repudio al ejército (Autoridades de la Comunidad San Felipe Chenlá, 2012).

The community letter then proposes an alternative to the military in terms of security and encouraging the municipal mayor to look for community and municipal strategies to confront the delinquency that occurs in Cotzal. They argue that even though Cotzal has many conflicts, the best case is to find ways in which to reintegrate youth in society. Despite these efforts from San Felipe Chenlá and others, their calls fell on deaf ears.

The army garrison returned to Cotzal on June 20, 2012. While I was there at the town square during their formal presentation, various people told me that seeing these soldiers return hurt them and caused fear since it was this same institution who had murdered and massacred their communities. These concerns were shared by both people who lived the war and those who were

born during or after. Their presence was again viewed as the government's support for Enel and international corporations who desired to engage in extractive industries.

Defamation by Enel and the Criminalization of Leaders

In various reports and press releases Enel portrays itself as a responsible and environmentally friendly company, and has addressed the conflict in Cotzal, but at the same time, they have criminalized community leaders and the ancestral authorities, and have claimed that they have been manipulated by external organizations. For example, in their version of the conflict, Enel writes:

> the community of San Felipe Chenlá, one of the 36 communities of the Municipality of San Juan, began a road block, alleging that the supply of funds for the construction of a school in this community had been delayed. The protest was led by a few NGOs (CONAVIGUA, MOJOMAYA, FUNDAMAYA). The most radical leaders monopolized the protest, unsuccessfully trying to extend it to other communities and rejecting several mediation attempts (Enel Green Power, 2016a)

This version of history denies the autonomy and self-determination of the local people and the various communities involved in mobilizing since they place the blame on external actors and deny the participation of other villages and claim that it was only the community of San Felipe Chenlá involved in the blockade. While the NGOs that Enel mentioned were present during the conflict, their objective was that of an observer and accompaniers, and were not heading or inciting the movement. Furthermore, Enel never mentions the march in Pulay, the blockade in Santa Avelina, the warrants for arrests of community leaders from various communities (Santa Avelina, Vichivalá, Cotzal y San Felipe Chenlá) nor the arrival of the military, among other events. Enel

says that the "dialogue did not progress due to illegitimacy, illegality, and the rigid position of ancestral authorities" (Enel Green Power, 2014a: 8). These declarations contradict their earlier signed agreement to initiate dialogue where they recognized the ancestral authorities as the "legitimate representatives" and constitutes a form of defamation on a national and international level. These declarations are surprising since Enel from the beginning and during dialogue reaffirmed their commitment, recognition and support to the terms of dialogue. For example, in September 2011, Enel through Smith González, presented a proposal to the communities of Cotzal with projects that mentioned and recognized the legitimacy and value of the terms of dialogue:

> Enel Guatemala ratifies the agreement signed on May 2 2011, with the communities of San Juan Cotzal, arbitrated by the municipal Judge of Peace, also ratifies the Terms of Dialogue of May 7, 2011, and recognizes both documents as genuine tools that inspire the process of dialogue to achieve final long-term agreements (Smith González, 2011: 1, translation mine)

In the same letter, they declare that "in no way can [Enel] be held responsible for psychological and cultural damage, which it never produced, simply because it was never an actor in the internal armed conflict which unfortunately took place in Guatemala" (Ibid: 2).

In an official response provided to me directly via email on December 10, 2014 by Werner Molina, External Relations for Enel Green Power, regarding the conflict in San Felipe Chenlá, Enel's representative wrote:

> El conflicto se originó cuando el *autodenominado grupo de alcaldes indígenas ancestrales* quiso ser parte del proceso de diálogo que la empresa ya sostenía con las autoridades locales y con los dirigentes de los Consejos Comunitarios de Desarrollo –COCODES-, entidades que, de acuerdo con el Código Municipal Vigente, son las únicas que la ley

> reconoce para representar a la población local. El conflicto se polarizó cuando el Alcalde Municipal de San Juan Cotzal se vio involucrado en un asunto policíaco-judicial. La situación fue *aprovechada por políticos locales que tomaron el proyecto hidroléctrico* [sic] *como discurso para su reposicionamiento electoral*. (Molina, 2014, emphasis mine)

At no time were there attempts within the movement to seek municipal or political office. Moreover, they responded with the following:

> 3. El diálogo entre los líderes del movimiento de San Felipe Chenlá y ENEL GREEN POWER GUATEMALA
>
> El proceso judicial al Alcalde creó un vacío de autoridad en San Juan Cotzal. Los políticos locales y los autodenominados alcaldes indígenas ancentrales [sic] reclamaron la representación de la población y buscaron negociar con la empresa. La empresa conversó con ellos con la finalidad de conocer sus posiciones y peticiones. Sin embargo, no llegó a ningún acuerdo toda vez que estos grupos carecían de representatividad y legitimidad. ENEL GREEN POWER GUATEMALA se sentó a la mesa de diálogo con las autoridades municipales electas en septiembre de 2011, en un proceso que contó con la participación del 87% de los electores de San Juan Cotzal (Ibid)

There is no mention of the signed agreement. Enel's claims to signing a deal with the municipal mayor and the legitimacy that he brings with the participation of 87% of the electorate is called into question when one realizes that of these 87%, only 36% of the 13,114 possible voters voted for the municipal mayor (Tribunal Supremo Electoral, 2011: 528). In Guatemala, the municipal mayor can win with a majority without going to a run-off election if they win by a significant margin.

While Enel denies that they had a role in creating an environment of psychological and cultural conflict in the communities of Cotzal, they omit various points and facts. First, it is true that Enel was not present during the civil war, but they became business partners with the finca San Francisco and the Brol family, who supported the military during the armed conflict. Second, the arrest warrants against the nine community leaders resembled the persecution that community leaders suffered during the war, especially since the nine leaders were victims of the violence. For example, the father and uncle of Concepción Santay Gómez, *Alcalde Indígena* of Cotzal, were leaders who were kidnapped and disappeared by the military. Third, the arrival of 500 members of the armed forces to San Felipe Chenlá on March 18, 2011, caused psychological trauma, not just among the direct victims of the conflict, but to the youth present, since many of them were scared and caused some to cry. Today, many members of the community remember this as a traumatic day. A multimillion dollar company like Enel cannot appeal to ignorance or deny their role in recreating and benefiting from an environment marked by violence, armed conflict, terror, fear and persecution.

Enel argues in various publications that they made a deal with an elected official and backtracks on their commitments signed agreement with the ancestral authorities of Cotzal who they recognized as legitimate representatives. For example, in a 2013 Sustainability Report, Enel claims in regard to the 2013 agreement that "Before being signed, the contents of the agreement were agreed by the mayor and the town council with all the leaders of the local communities and were approved by them" (Enel Green Power, 2014b: 92).

The Politics and Inequalities of Electricity and "Development"

Palo Viejo is one of the largest dams in Guatemala and has the capacity to produce 84MhW of electricity. Yet, only approximately 37% of the population of Cotzal has access to electricity. Moreover, this energy is unreliable and of inadequate quality, since the energy drops at nights and there are blackouts that last from a couple of hours and up to full days that come without warning. Between October 10, 2014 to January 15, 2015, there was an average of six blackouts per month, that lasted between two to twenty-four hours. For example, in Cotzal, on October 14, 2014, a blackout began approximately at 11:00pm and ended on October 16 approximately 11:00pm. On November 14, 2014, the energy stopped at 11:48pm and did not return until the next day (November 15) at 1:00pm. During two years of fieldwork living in the communities of Cotzal, I witnessed the consequences of the lack of good energy and electricity, and in various occasions I have observed children using the flashlights of cellphones to complete their homework, at times using these flashlights while the house lights were on but too dim to provide any adequate lighting. Computers, televisions, and cellphones do not charge after six at night. In some cases, an electrical surge can damage or destroy cell phones, refrigerators (for the very few families that own them, mainly store owners), and other electrical appliances, which can have economic impacts. For example, during the month of November 2014, a freezer at an ice cream store in the town center was destroyed due to an electrical surge and it was not replaced for two weeks. This had a negative economic impact on the business since their products were destroyed (ice cream and refrigerated products). In April 2015, the *Alcaldía Indígena* of Nebaj had to resolve a conflict involving four men who were detained by the national police during a blockade against the construction of the hydroelectric dam Xacbal Delta. Ironically, the meeting was held using candles since at that moment the Ixil Region was experiencing a blackout that was already three days long.

During a February 2014 visit by Otto Pérez Molina to the finca San Francisco to receive an update from the new agreement signed between Enel and the municipality of Cotzal, a representative from the community of Pamaxán, and who was designated to be the representative of all of the COCODEs of Cotzal, complained to the president saying that although he lived 4km from the dam, his community did not have electricity. In the community of Cajixay, there are electrical posts installed in 2001 to offer this service to the community, but they do not have electricity. These posts do not function, and they are covered with political propaganda from previous elections that includes extinct political parties. According to an investigation by Oswaldo Hernández of Plaza Pública, Enel earned approximately Q296 million per year (2013a). In December 2014, the municipal mayor of Cotzal during a meeting with a youth organization claimed that Enel earned between $30-40 million annually. The majority of the population does not know how the funds Enel pays are utilized by the municipality and there are no plans to improve the electrical services in Cotzal. It is important to note that before Palo Viejo was constructed, in a 2010 report written by the Municipal Council of Development of Cotzal (*Consejo Municipal de Desarrollo del Municipio de San Juan Cotzal*), recognized that there are "big companies who have intentions to exploit or construct hydroelectric dams, *without these contemplating direct benefits for the population*" (2010: 33, translation and emphasis mine). The image that follows in the report shows a map of Cotzal where they identify Palo Viejo in the finca San Francisco as the "interested company" to construct the dam (Ibid: 34, translation mine). In addition, the report notes that "despite the hydric wealth and very strategic locations, there have not been initiatives to promote hydroelectricity in the municipality, although within the territory there have been private projects that are being developed that do not have contemplated to benefit the municipality" (Ibid: 39, translation mine). It is important to repeat that between October 2014

and November 2015, Enel denied various requests for an interview regarding these and other topics.

Constitutional Court Resolutions

In 2012, the *Alcaldía Indígena* of Cotzal conducted an *amparo* against MEM for violating their right to consultation for the construction of the *Transmisora de Energía Renovable, S. A.* (Transnova). Transnova is part of a plan to build a network of electrical towers. Transnova was built to transport the energy produced by the Palo Viejo dam and according to the resolution of the CC, Transnova is an "entidad constituida con las aportaciones de Enel Guatemala, Sociedad Anónima y Generadora Montecristo, Sociedad Anónima" (Corte de Constitucionalidad, 2015a: 43).

Three years later, the CC ruled in favor of the communities of Cotzal and the *Alcaldía Indígena* of Cotzal. According to the *Procurador de los Derechos Humanos* Jorge De León Duque during a visit by the ancestral authorities in Guatemala City on April 15, 2015, this resolution was historical with legal implications at the national and international levels. Although the resolution is a case regarding Transnova, it is viewed as having ramifications for future relations between indigenous peoples, companies and the state.

The resolution has many legal aspects that recognize the rights of indigenous peoples. Some of the more important parts of the resolution are the following:

- It recognizes the *Alcaldía Indígena* as legitimate representatives of their communities. Companies such as Enel and Transnova, as well as the municipal mayor claim that the municipal mayor is the only legal and legitimate representative of Cotzal. But, the CC resolution is a recognition of the legality that indigenous communities have, and as a result,

the state and companies have to recognize the *Alcaldía Indígena* as legitimate and as representatives of their communities.

  - According to the resolution, "...se ha hecho notar que instituciones como las municipalidades o alcaldías indígenas – distintas de la corporaciones municipales previstas en la ley ordinaria – dimanan de la tradición histórica de los pueblos originarios, cuyo antecedente se remonta a la época colonial y su estela se extiende hasta tiempos contemporáneos...son percibidas como tradicionales e importantes autoridades locales...el hecho de que el municipio de San Juan Cotzal...cuente con Alcalde electo...no excluye la posibilidad de que determinadas comunidades asentadas dentro de su circunscripción territorial acudan a la justicia constitucional en procura de la defensa de los derechos e intereses que colectivamente comparten, por medio de las personas a las que reconocen representatividad de acuerdo a sus prácticas y costumbres" (Ibid: 25- 26).

- Consultation is a fundamental right. Although the MEM and its ministers along with companies argue that consultation does not exist within the *Ley General de Electricidad o en la Ley de Minería*, they are rights guaranteed by the Guatemalan State due to its signing and ratification of international instruments and conventions. The opposition of consultation as forming part of law have long held that it is no more than a recommendation at best. The resolution contradicts this position and favors proponents of consultation as law.

  - "...ante las solicitudes de que sean autorizados proyectos, operaciones o actividades vinculadas al aprovechamiento de recursos naturales, los órganos competentes están obligados a atender los preceptos atinentes que estén contenidos...como en

los instrumentos de derecho internacional suscritos y ratificados por el Estado de Guatemala...De esa cuenta, si se avizora que las licencias cuya autorización se solicita o las ya otorgadas, producirán afectación directa de las condiciones de vida de comunidades indígenas, el adecuado cumplimiento de lo dispuesto en la Ley General de Electricidad o en la Ley de Minería y sus respectivos Reglamentos no excluye la responsabilidad estatal de poner en practica la consulta establecida en el Convenio 169 de la [OIT]" (Ibid: 37).

- The dissemination and notification of projects in the *Diario de Centro América* and other periodicals of high circulation is not a form of consultation as companies have argued. This is based on Articles 15 through 19 of the *Ley General de Electricidad* that requires an official publication in the *Diario de Centro América* and other mediums to announce their intentions and authorizations to engage in their projects. In addition, these announcements are only published in Spanish and not the local languages where projects will operate. These ads are also very small, and the newspapers in which they publish are sometimes only found in very limited places in the capital.
    - "Al contrastar con los cánones de consulta antes especificados las publicaciones previstas en el artículo 15 de la aludida ley ordinaria, se colige que estas no satisfacen aquéllos y, por ende, no constituyen cumplimiento de la obligación estatal de consultar a los pueblos indígenas...La simple publicación, en ciertos medios escritos de comunicación, de un edicto que contiene generalidades de la solicitud de autorización, no representa un proceso de diálogo culturalmente pertinente y dirigido a la consecución de acuerdos...Cabe agregar que en muchos casos esa práctica ni siquiera alcanza a ser un mecanismo eficaz de mera

divulgación, debido a la limitada circulación de algunos de los diarios utilizados para ese efecto y a la diversidad lingüística del país (Ibid: 53).

- The resolution recognizes the concept of territory from an indigenous perspective which does not view territory as something individual, nor as a commodity or private property. While the *Alcaldía Indígena* would exist without this state recognition, this perspective is important given the debate that occurred between Cotzal and Enel regarding private property vs. ancestral lands.
    - "...para los pueblos indígenas la relación con la tierra no es meramente una cuestión de posesión y producción sino un elemento material y espiritual...pues su forma particular de vida, de ser, ver y actuar en el mundo está constituida precisamente a partir de su estrecha relación con territorios tradicionales y los recursos que allí se encuentran, no sólo por ser estos su principal medio de subsistencia, sino además porque constituyen elemento integrante de su cosmovisión, religiosidad y, por ende, de su identidad cultural" (Ibid: 40).

According to a lawyer involved in the case, the CC resolution suggests that the consultation does not give rights to veto power, and the communities of Cotzal cannot expel Transnova from their municipality without proving that it is causing irreversible environmental and cultural damages, among other conditions. After the CC resolution, Transnova asked for legal clarification for the ruling which was not resolved until February 2016.

The ancestral authorities of Cotzal and the Ixil Region went to Guatemala City to hold a press conference on April 16, 2015 to publically announce the CC Resolution in favor of Cotzal and the violation of consultation. The press conference was covered by various media outlets as well as being attended by community leaders, lawyers involved in the case, and Monseñor Álvaro

Ramazzini, among others. They also met with different organizations at the national and international level. This was also the same day that the "*La Linea*" corruption scandal was revealed by the *Comisión Internacional Contra la Impunidad en Guatemala* (CICIG), which involved high-ranking government officials such as the director of the *Superintendencia de Administración Tributaria* (SAT) and the private secretary of then-Vice President Roxana Baldetti (Contreras and Alvarado, 2015). The *La Linea* corruption scandal led to protests in Guatemala City and the eventual resignations and arrests of government officials, including Otto Pérez Molina, Baldetti, and multiple ministers.

While the CC Resolution and *La Linea* seem to be two distinct and separate cases, they are intertwined by a government system based and built on corruption, impunity and the use of violence. Many in the Ixil Region and Guatemala have claimed that many megaprojects are only approved and made possible by corruption, intimidation and backroom deals with politicians. That Otto Pérez Molina was a crucial party involved in the 2013 agreement between Enel and the municipal mayor, some in Cotzal have said that it would be important for CICIG to investigate the agreement and Enel's operations. In Chajul, after the 2015 municipal elections, protestors claimed that the newly re-elected Municipal Mayor Pedro Caba Caba had engaged in buying votes, voter fraud, corruption, and stealing funds that come from Hidro Xacbal (Canal Antigua, 2015; Figueroa, 2015). On September 21, 2015, these protestors gathered in the town center of Chajul and placed a blockade in Pulay asking for a reelection as well as the presence of CICIG to investigate the mayor and the municipal council for local corruption. The need to investigate and combat local and municipal corruption and their relationship with international corporations is long overdue.

As mentioned above, there are other cases regarding hydroelectric dams and electrical towers. In 2015, the CC ruled in favor for the communities of Nebaj for a case regarding the

hydroelectric dams La Vega I and La Vega II (Corte de Constitucionalidad, 2015b, 2015c). The CC also ruled against Nebaj for a case involving Trecsa who built electrical towers. In 2016, the CSJ ruled in favor of the *Alcalde Indígena* of Nebaj and against the MEM for their failure to provide consultation for the hydroelectric dam of Las Brisas (Table 11).

These *amparos* take years, and as we saw in the case with Transnova in Cotzal, companies may have already begun and finished construction which makes consultation an afterthought and placing the implementation of the ruling in an awkward position. For the three cases involving hydroelectric dams, these projects did not begin construction at the time of the *amparo*.

Table 11: *Amparos* against Hydroelectric dams and Electrical Towers in the Ixil Region

Project Name	**Type of Project**	***Amparo* requested by**	**CSJ**		**CC**		**CC Ruling**
			***amparo* presented**	**ruling**	**Examination of CSJ ruling begins**	**ruled**	
Transnova	Electrical Towers	Consejo de Autoridades Ancestrales del municipio de Cotzal	Jan. 20, 2012	Nov. 28, 2012	Jan. 28, 2014	March 25, 2015	In favor
Trecsa	Electrical Towers	Autoridades Ancestrales de Nebaj	Mar. 2, 2012				Against
La Vega I	Hydroelectric	Consejo de Principales de Trapichitos, Consejo de Principales de Sumal Chiquito, and Consejo de Principales de Nuevo Amanacer, V'i Sumalito	Jul. 11, 2011	Mar. 6, 2012	2012*	Sept. 10, 2015	In favor
La Vega II	Hydroelectric	Segundo Alcalde de la Alcaldia Indigena del municipio de Nebaj	Dec. 27, 2011	Aug. 6, 2012	Nov. 29, 2012	Sept. 14, 2015	In favor
Las Brisas	Hydroelectric	Alcalde Indígena Primero de la Alcaldía Indígena de Nebaj	July 7, 2014	Mar. 18, 2016	N/A (no appeals)		In favor

*Exact date not available

The Ixils are utilizing the courts as a means of resisting megaprojects. As we have seen, the CC has ruled in favor of the communities of the Ixil Region and recognizing their rights as indigenous peoples. The benefits and disadvantages of these court resolutions will be measured by their implementation (if they are fully carried out). Either way, the fact that the CC, the highest judicial court in Guatemala, and the CSJ have recognized these rights is another achievement by the Ixil and are representative of one of their many forms of resistance to megaprojects.

Epilogue to the Harvests of Injustice

The 2015 La Linea scandal that uncovered corruption within the Otto Pérez Molina administration, once again led Guatemalans to hit the streets in the capital, although something was different this time, this time it seemed to matter to the media, politicians, and it even made international headlines. The difference between this protest and others, is that this one was primarily consisted of urban and ladino people from Guatemala City (like in the 1944 October Revolution), who only protested on Sunday's within a certain time block. The difference between this protest and the *thousands* of protests that called for social justice, is that these were consisted of middle-class people who marched down *sexta avenida*, passing by indigenous and mestizo street vendors who were out there selling their products for survival; the inequality was obvious as the same group of people protesting for justice were getting their shoes shined by children and buying beer from street vendors who saw a potential market in protestors. The difference between this protest, and the protestors that have been resisting ever since the name Pedro Alvarado hit their eardrums, is that their protest "mattered". Ironically, when these protests began, there were landless indigenous peoples from Alta Verapaz camping out and sleeping in front of the national palace fighting for their land; they went unnoticed by the media and were overshadowed by the

new protest. On a news channel, two ladino hosts asked two indigenous guests why they thought people were "finally" rising up, to which they responded that the indigenous communities of Guatemala have been actively resisting for the last 500 years. The protests that occurred in 2015 were of historical importance as they led to the resignation and arrest of Otto Pérez Molina, Roxana Baldetti, and other "untouchable's" that included Ministers and other high ranking officials.

The difference between the protests in the capital and rural indigenous communities were not lost on the Ixil. When approximately 100 Ixils entered the protest after we had walked for four hours from one entrance from the capital under the blazing hot sun, thousands of people began to applaud and cheer for the Ixils. People were wearing shirts that read "Mi Corazon es Ixil", which became popular during the genocide case against Rios Montt. As we neared the podium where there were speakers from different organizations and places the Ixils were invited to get on and provide some words for the thousands gathered in the plaza that day. One Ixil leader eventually grabbed the microphone and started talking about the struggle of the Ixils and the problems that are persistent in Guatemala. He also noted that while the people were protesting in the capital, other communities need their support in their local struggles. He emphasized this when he said: "*¡hoy estamos aquí para apoyarlos, ¡a ver si mañana nos apoyan a nosotros!*".

The struggle against Enel in Cotzal is one that does not erupt out of nowhere. The companies, state and others who criticize the movements against megaprojects as being "radicals", "terrorists", and against development, fail to recognize (willingly or unwillingly) a larger history of resistance to invasion. The coverage of the 2015 protests also highlighted the racist and paternalistic manner in which indigenous peoples and their struggles are portrayed or not portrayed.

The Ixil of Cotzal, as in the previous invasions, utilized various forms of resistance to challenge Enel and foreign intervention, from peaceful protests, to blockades, to the use of courts. These struggles, while not amply covered by the media, or known to many outside of the Ixil Region, is another in the long line of resistance movements in the Ixil Region. They highlight the Ixils resilience in working within and against a genocidal system that seeks to repress indigenous bodies, life, cosmology and mentality. While the Ixils of Cotzal may have lost this battle with Enel over Palo Viejo, they have been able to continue organizing and struggling against megaprojects in other ways. The movement against Enel led to the emergence of the *Alcaldía Indígena*, which has been proactively working towards Ixil rights, dignity and resistance. The CC resolution against the electrical tower was a major victory, and one that set a precedent in Guatemala. While not covered fully in this chapter, behind the motivations of the Ixils actions is a movement to recover and promote *tichajil*, Ixil consciousness, and identity. The next two chapters explores *tichajil* through migration and the educational system.

CHAPTER 4: IXIL MIGRATION TO THE US

Why are youth migrating and leaving their communities today if they don't have to?…in the past we were forced to migrate!

– elder from San Felipe Chenlá, Cotzal

Since 2011, every time I would leave and return to Cotzal, it seemed as if someone went missing. It would be explained that Juan, Andres, Gaspar or someone left to work in Guatemala City, or in the US due to "*la necesidad*". But it always seemed more complicated than that. Many migrants usually placed their lands and homes as guarantees to banks in order to finance their trips to the US. If migrants from Cotzal were caught and deported along the way, or made it to the US but did not find work to pay off their debt, they would lose their homes, thus creating an even more dire situation than the one they had before. Land inequality in the Ixil Region has increased due to migration. The role that megaprojects such as Palo Viejo, fincas and the system that displaces Ixils (directly or indirectly) play in this migration and structural land inequality needs to be explored to provide an understanding of the local problems that youth and the Ixils are confronting. Thus, this chapter explores Ixil historical migration and displacement, specifically recent migration to the US since the late-1990s.

In 2014, Central American immigration to the US has made international headlines with the surge of unaccompanied Central American children crossing into the US. In this chapter, I provide a case study to understand one aspect of indigenous/Central American migration and utilize the concepts of *el vivir mejor* (a better life) and *tichajil* (*el buen vivir*/good life in Ixil) to explore Ixil migration from Cotzal, Guatemala. The former concept is characterized by a consumerist mentality that strives for the materialistic and superficial such as having a good cell

phone, car, etc., while the latter is a concept that promotes balance and good health within the family and community.

I argue that current Ixil migration to the US forms part of larger historical unequal and violent structures that directly and indirectly displaces Ixils from their lands. While in the past, displacement and migration from ancestral lands occurred in a direct and violent manner, today many youth are selling, abandoning or leaving their lands and communities in favor for *el vivir mejor*. In order to understand Ixil migration from Cotzal to the US and its impacts, I provide a brief summary of works on Central American and indigenous migration and displacement to the US. Second, I will analyze Ixil migration to the US and its impacts on the region in terms of land, economy and identity as well as its psychological and traumatic consequences. Third, I will examine two forums involving the use of theatre by youth to explain the causes of migration in their communities, which provides a more complex situation as those being presented in the media and at times academia.

While there have been works dedicated to examining direct displacement involving the construction of dams, the relationship between megaprojects and systematic international migration has not been explored in great detail. Saskia Sassen (2016) in analyzing three migration flows that include Central America, Myanmar and migration to Europe from various Middle Eastern and African countries, argues that the mix of wars, dead land and expulsions has created the conditions for new migration flows. She adds that that these "are not the migrants in search of a better life who hope to send money and perhaps return to the family left behind. These are people in search of bare life, with no home to return to" (205). For instance, she explains that the Rohingya people of Myanmar are fleeing due to land grabs for plantations and mining (216-8). Sassen terms these conditions as a "loss of habitat" due to land and water grabs, in which people have no land

or home to return to. She states that war tends to explain migration given that it is more visible and immediate. Instead, Sassen wants to "emphasize the slow-moving destructions and expulsions that have resulted partly from deeply misguided development policies. These destructions should not be overshadowed by the destructions generated by wars." In addition, she notes that many migrants and refugee seekers are often not the poorest, and many are professionals, but departing from their countries often leaves them without any resources. Sassen states that sending people back to where they came from is often not an option since their home can now be "a war zone, a new private gated community, a corporate complex, a plantation, a mining development, a desert, a flooded plain, a space of oppression and abuse" (223). In much of the literature and popular media, violence and poverty is cited as the main causes of migration, but we need more nuanced explanations of this violence and poverty.

Contamination and displacement due to megaprojects has fueled migration in Guatemala. Land and water grabs and the contamination of land and water in the Ixil Region are visible in the Four Invasions. For example, the arrival of fincas displaced Ixils of Cotzal from half their land; these inequalities in land distribution later fueled the armed conflict. With the end of the armed conflict, the state provided land that it bought from these same fincas to create model villages. This temporarily took pressure off for calls for land. With an increase in population, so too was the increase for land to cultivate. But as one elder in Ilom said in discussing buying land for his children, "if I go north, there is a finca, if I go south, there is a finca, if I go west, there is a finca, if I go east, there is a finca, I have nowhere to go!". There is a sense of not being able to breathe and nowhere to grow, both agriculturally and for new families. A young Ixil leader from Cotzal claims that the land issue is a time bomb waiting to happen and likens the topic to a monster as he warns, "*Estamos frente un monstro en donde cuando le toquemos los huevos no sabemos si nos va*

sacar las garras o los colmillos". The monster is the land question, and he is concerned that this may lead to another social upheaval and repression, especially now in the context of the Fourth Invasion. Many young families want to build their homes, but there is no land. According to many in Cotzal, the use of pesticides has also exhausted the land for agricultural production. That the Palo Viejo dam was built on a finca is not a coincidence. Instead, it is part of a larger history of systematic displacement in the name of development, economic growth, salvation and civilization.

As demonstrated in the previous chapter, Cotzal has the highest land density per capita in the Ixil Region, it is experiencing new development projects that contaminate land and water. In addition, these megaprojects contribute to the cultural hegemonic notions that being an Ixil or "*indio*" is backwards; being Ixil during the war was a death sentence. The discourses of *el vivir mejor* used by these megaprojects such as providing jobs, infrastructure, and education, continue to contaminate and colonize the minds of youth through promises of development, and fuel the desires for consumerist capitalism. These tensions emerge throughout this chapter.

Lastly, it is important when discussing Maya and indigenous migration and people within the context of Latinidad in the US, that not everyone identifies as indigenous or Maya and may associate themselves with their geographical communities. In addition, not everyone in Guatemala and sending countries want to migrate to the US. There are many people who decide not to migrate. The arrogance of observers is highlighted when one sees two story houses in rural Guatemalan communities and automatically assumes that these are built through remittances. There is no denying the role of remittances in building large houses, but the point is that there are many who continue to work in Guatemala and are able to enjoy economic success.

Central American and Indigenous Migration to the US

There has been growing academic literature surrounding the root causes of Maya and Central American migration and displacement, and the diasporic communities that they form throughout North America. These works include examining Maya, Guatemalan and Central American diasporas across the Americas (Alvarado, Estrada and Hernández, 2017; Chinchilla and Hamilton, 2001; Foxen, 2007; Loucky and Moors, 2001), new emerging identities among "Central Americans-Americans" (Arias and Milian, 2014), research on Maya youth from Mayas themselves (Batz, 2014; Boj Lopez, 2017), and child migrants (Nazario, 2007). Recently, there has been the emerging term of "Northern Triangle", which is a military term used to describe the area. Its use by academics is a step in the wrong direction in accepting a security driven approach to resolving the serious and complex problems the region is confronting. The power of language is not lost on the Ixils, many who refuse to accept the use of the "Ixil Triangle", used by many within in academic circles, NGOs and governmental institutions and its workers to describe the area. They argue that the term justified military intervention and a symbol and terminology of their repression.

While various works have examined Central American migration, Susanne Jonas' and Nestor Rodriguez's *Guatemala-U.S. Migration: Transforming Regions* (2014), stands out as one of the only works in English to analyze migration specifically from Guatemala to the US that include both ladino and indigenous international streams through a historical lens. The authors argue that Guatemalan migration also forms part of a regional migration from Central America, mainly the "Northern Triangle" that also includes El Salvador and Honduras. While the region faced turmoil in the past, the Central American conflicts of the 1970s and 1980s was the first time "large numbers of workers, families, and even whole communities migrated abroad to escape the violence and to cope with economic decline" (Ibid: 2). Jonas and Rodriguez divide Guatemalan

migration into what they label a prelude and five phases, with each phase representing a certain aspect of the social, political and economic life of Guatemala and the US. They provide an estimate of how many Guatemalan migrants entered per year and per phase. The years of the phases are not exact and are meant to represent temporal approximations (Table 12).

Table 12: Phases of Guatemalan Migration to the US

Phases and Years	**Migrants per year**
Prelude (1970 – 1976)	4,619
Phase 1 (1977 – 1985)	13,121
Phase 2 (1986 – 1988)	22,800
Phase 3 (1989 – 1991)	45,504
Phase 4 (1992 – 2003)	25,039
Phase 5 (2004 – 2011)	56,737

Source: Jonas and Rodriguez (2014: 31)

Before and during the Prelude, there were low levels of Guatemalan migration to the US. During Phase 1, Jonas and Rodriguez state that Guatemalan migration was a result of the social turmoil characterized by violence and economic devastation due to the war. In Phase 2 and 3, Guatemala continues to suffer from violence, but with the passing of the Immigration Reform and Control Act (IRCA) in 1986, Guatemalans and other immigrants were offered amnesty, which allowed them to return and develop "patters of interactions with their households back home" that did not exist previously (Ibid: 71). With increased interactions through visits, and "monetary and material remittances", word about jobs and opportunities in the US reached various cities first and later rural communities (Ibid: 48). In addition, many legal residents could now begin to sponsor their relatives in Guatemala to travel to the US. According to Jonas and Rodriguez, the visits of

Guatemalans who lived in the US "sparked the interests of many young men and women" to migrate since they "were usually seen as images of success" (Ibid: 48). During these phases, there was also an increase in business due to Guatemalan migration such as increased air travel, and financial institutions used in sending and receiving remittances. In Phase 4, there is a significant Guatemalan population in the US due to migrants and their US-born children. By 2000, the top 100 largest concentrations of Guatemalans were located across 39 states (Ibid: 53). Phase 5 is characterized by a post-war Guatemala in which violence continues to plague the country along with a weak economy. They add that in the US, there are laws such as SB1070 in Arizona that have criminalized immigrants as well as militarizing the US-Mexico border. Furthermore, there was an increase in deportations and raids such as the Postville raid in 2008 in which 75% of the 389 detained workers were Guatemalan, many of which were Maya (Ibid: 65).

Other authors have developed their own stages for regional migration. For example, James Loucky (2000) and Eric Popkin (2005) both identify Q'anjob'al-Maya migration from Huehuetenango to Los Angeles in three stages since the 1970s: pioneer, war refugee, and youth-driven migration. The pioneers were the Maya who began arriving in the United States in the 1970s after learning about employment opportunities while visiting and working in Mexico or in Guatemala City (Chinchilla and Hamilton, 2001: 45; Popkin, 2005: 680). Wellmeier (1998) suggests that the presence of at least "one or two forerunners" who could "provide temporary housing, a job lead, and advice about the necessary papers" was reason enough for Maya to travel to California or Florida (103). With the intensification of the civil war in the 1980s, thousands of Mayas and Guatemalans were forced into exile, and many took refuge with their relatives and fellow community members in Los Angeles and other pioneers across North America. War refugees were followed by impoverished Maya seeking alternatives to seasonal migration to the

Pacific coast, where they picked coffee and cotton under harsh and abusive working conditions. From the late 1980s to the present, migration has been increasingly dominated by young single men seeking economic opportunities (Burns, 1993: 12). As a result of this shift, according to Wellmeier (1998: 102), in 1998 in Los Angeles, Maya men outnumbered women by approximately three to one.

There exists at least one academic study to my knowledge based on migration from the Ixil Region. Anthropologist David Stoll (2013) analyzed migration from Nebaj to the US in his book entitled, *El Norte or Bust!: How Migration Fever and Microcredit Produced a Financial Crash in a Latin American Town*. Stoll examines the role of debt and microcredits in fueling Ixil migration. He writes that the case in Nebaj offers "a fortuitous window on an obscure subject - how Guatemalan peasants have used formal and informal credit to finance unauthorized migration to the United States" (Ibid: 5). He argues that while there is a "surprising consensus between bankers and antipoverty activists that poor people can be empowered by lending them money. That defenders of the poor would celebrate credit as a panacea is surprising" (Ibid:7). He suggests Nebaj's recent surge in migration has caused serious debt, which has only gestated the land problem since many put their land titles up as collateral. that debt tends to be a way to separate poor from their last assets, particularly land.

Central America is suffering from high rates of violence, much of it from the legacies of the war that led to the creation of transnational gangs such as the Mara Salvatrucha 13 (MS-13) and 18th Street. During the war, many Central American youth, mainly from El Salvador and Guatemala, fled the war and found themselves in the streets of Los Angeles, and many were later deported to their respective countries. Some youth from Cotzal went to work in the capital, and then many of them returned back to Cotzal where they began to create networks between

themselves and the capital. Soon, the MS-13 and 18th Street were making headway in the town center as well as surrounding communities, mainly near the main road. Cotzal was eventually determined a "*zona roja*" due to high rates of delinquency characterized by theft, assaults, and deaths. The height of the violence occurred in the early and mid 2000s.

In San Felipe Chenlá, people retell stories of how it was at the height of the violence, the grudges between particular gang members, the fear of getting hit by a lost bullet, and the concern that many parents had for their children walking home from school or leaving the house. Much of the intimidation and violence was directed towards youth. Some elders have claimed that they were not the direct victims of violence from gang members, and they inflicted violence directly towards elders. This is in contrast to the capital where gang members do not discriminate against their victims. Stories include open shoot outs during a soccer match on the field, of people chasing each other and fist fighting, and of people openly doing drugs in the streets. The situation was bad enough for the Peace Core to prohibit their members from working in Cotzal as well as other members in the Region from visiting there frequently. The gang problem was resolved when the communities organized into armed patrols with twenty-four hour shifts. Migration due to gang violence in Cotzal did not lead to widespread migration, and I know of only one case in which a gang member left and joined the military as a way out, although there may be others.

Crossing and Arriving

Each individual has a different experience crossing through Mexico and the US, and these are often shaped by one's gender, sexuality, ethnicity, race, pigmentation, nationality, language, and age, among other factors. For example, the experiences of women in contrast to men are dramatic. According to various reports, an alarming sixty to eighty percent of women who migrate

from Central America through Mexico to reach the US are victims of rape and sexual assault, which includes government officials, gangs, US Border Patrol Agents, other migrants, among others (Amnesty International, 2010; Goldberg, 2014). In 2014, there was a 77% increase of female minors apprehended at the border, and girls under the age of 12 increased by 140% (Krogstad, Gonzalez-Barrera, and Lopez, 2014). Many women take contraceptives before migrating in order to prevent pregnancy due to rape. Another example includes the experiences of indigenous people who often suffer racism and discrimination from Mexican and US society and immigration officials. Many of these different positionalities and intersectionalities of power are explored in the movie *Jaula de Oro* (2014), which features instances of sexual violence against women and discrimination against indigenous peoples and culture.

Due to high rates of undocumented migrants, it is difficult to calculate the number of Guatemalans living in the US. There are approximately 15.5 million Guatemalans and an estimated 1.2 – 1.6 million living in the US where an estimated sixty percent are undocumented (Jonas and Rodriguez, 2014: 27). In 2013, the International Organization for Migration estimated that every day three hundred Guatemalans leave the country, with two hundred being deported on a daily basis (Organización Internacional para las Migraciones, 2013).

According to Jeh Charles Johnson, the Secretary of the Department of Homeland Security in a statement in October 2016, Central Americans apprehended on the US-Mexico border "outnumbered Mexicans for the first time" in 2014, and again in 2016. In addition, there are "fewer Mexicans and single adults attempting to cross the border without authorization, but more families and unaccompanied children [who] are fleeing poverty and violence in Central America", as the number of people being caught are increasing (Table 13).

Table 13: People Apprehended by the US Border Patrol

	FY 2013	**FY 2014**	**FY 2015**	**FY 2016**
Unaccompanied Children	38,759	68,541	39,970	59,692
Family Units	14,855	68,445	39,838	77,674
Individuals	360,783	342,385	251,525	271,504
Totals	414,397	479,371	331,333	408,870

Source: Johnson (2016).

Immigration and human trafficking has also become a profitable business for governments, the private sector, organized crime and gangs. Remittances have grown within the last decades as Guatemalans living in the US have sent millions back to their families since the 1970s. According to the World Bank (2017), in 1977, Guatemalans abroad sent $14 million in remittances, $26.2 million in 1980, $118.69 million in 1990, $596.2 million in 2000, $4.232 billion in 2010, and $6.573 billion in 2015. By the early 2000s, remittances "surpassed coffee as a source of foreign exchange" (Jonas and Rodriguez, 2015: 181).

The causes of migration on both sides of the immigration debate and political spectrum are said to be the result of poverty, gang violence, and, while less frequently cited, family reunification. These arguments have inspired recent US policies, politics, proposed solutions and discourses surrounding immigration. In 2015, the Vice-President of the United States, Joseph Biden, visited Central America and called for Congressional support of the Alliance for Prosperity, which would provide Guatemala, El Salvador and Honduras with $1 billion. According to Biden in an opinion piece featured in the New York Times in January 2015:

> Inadequate education, institutional corruption, rampant crime and a lack of investment are holding [Guatemala, El Salvador and Honduras] back. Six million young Central

> Americans are to enter the labor force in the next decade. If opportunity isn't there for them, the entire Western Hemisphere will feel the consequences (Biden, 2015)

He continues to list the three solutions in the following order of priority: security, good governance, and the need for international investment (Ibid). These pillars can be viewed as promoting US foreign and rightist Central American economic interests in which "security" leads to further militarization, "good governance" to further US control and influence, and "international investment" to the arrival of more megaprojects and *maquilas* in the region.

There are various unintended consequences involving the narratives of violence and poverty within the immigration debate in the US and Central America, which can be marked with overgeneralizations regarding immigrants and their home-countries. There are various realities in terms of migration, and while violence and poverty are root causes, there are other forms of violence such as internalized racism and not wanting to be associated with indigenous peoples and communities. The latter part does not get discussed in many public and academic circles after all, how can you document and do justice to 500 years of colonialism and oppression in grant and asylum applicants. Immigrant rights activists and organizations have focused on violence and poverty as the main driving forces of migration. These claims are not to deny that people migrate due to violence and poverty, but rather rethink the way the different forms of violence have fueled migration.

In regards to violence, Central American countries are portrayed as so dangerous that people who go back are automatically receiving a "death sentence", which is something that goes unquestioned. While there are many cases where people are fleeing gang violence, there are many instances, especially from rural indigenous areas that make up the majority of Guatemalan migration, where these communities do not face this threat or problems as their urban counterparts.

Sometimes people are fleeing from other forms of structural violence (familial, state) and historical displacement (land inequalities and debt) that are overlooked by the media. Viewing these countries as a "death trap" falls into the imagery that Central America is backwards and savage, a place where you go to die or is uninhabitable. It allows the US and Central American governments to promote security and militarization as a much-needed solution in curbing immigration; all during a time when indigenous and human rights activists, and environmentalists are being persecuted and intimidated for their protests against megaprojects. As noted above, security was listed as the first priority for the Alliance for Prosperity. While portraying Central America as a "death trap" can help in garnering public sympathy and support for much needed immigration reform in the US, it also plays into this narrative that Central America is "dangerous" and in need of saving or foreign intervention to provide security and employment. These generalizations do not take into account the people who do not want to migrate, local efforts in creating and supporting community-based economies and markets, and the work of communities who are curbing delinquency through various means. There is need to reduce gang violence in Central America, but there are unintended consequences when the region is portrayed as a "death trap".

How to make sense of these "death trap" narratives and Sassen's habitat loss? On one side, not all migrants are victims of gang violence and extreme poverty as some portray. On the other and as we will see below, many are migrating due to other forms of violence (family, internalized racism). Land inequalities and contamination—through the overuse of pesticides and other causes—are very real. At the end of the day, people risk their lives and take out large loans to cross Mexico and later the Sonora Desert in Arizona. What is going on at the ground level? What is causing migration? How is habitat loss manifesting itself and how is migration impacting daily Ixil life, culture and identity? Below I explore these questions. Again, this is not to deny the

violence that deportees confront in Central America, but rather a way to expand our understanding of the types of structural violence and historical inequalities, which are leading others not fleeing gang violence to migrate to the US.

Ixil Displacement and Migration to the US

I divide Ixil Migration and displacement into five eras. The first includes the exodus of Ixils, which according to archeological evidence and oral tradition, left Ilom during pre-Hispanic times and settled in Cotzal, Nebaj and Chajul. The second era occurred during the First Invasion/Spanish colonization and the forced relocation of Ixils into concentrated areas. The third era took place during the Second Invasion as fincas were created. It is during this era that hundreds of K'iche's, mainly from Chiquimula and other parts of Totonicapán and El Quiché, arrived to the Ixil Region. The fourth era happened during the Third Invasion with the violence of the civil war. Lastly, the fifth and current era is international migration to Mexico and the US. It is this last era that I am concerned with examining.

International migration from the Ixil Region to the US increased after the end of the civil war. Immigration is visible on a daily basis, although not as visible in comparison to other parts of Guatemala. In the Ixil Region, migration is more apparent in Nebaj where there are *pacas* advertising American clothing, the presence of Western Union and other financial centers promoting loans and distributing remittances, as well as people advertising trips to *el Norte* at the park and other public locations. There are various jokes and humorous takes involving migration and US cities such as referring to Nebaj as Nebaj York (New York), Uspantán as Houspantan (Houston), Huehuetenango as Huehueverly Hills (Beverly Hills), among others.

The 2010 report written by the Municipal Council of Development of Cotzal states that twenty-eight percent of the population of Cotzal has migrated outside of the municipality (2010: 12). Another 2010 study found that eighty-two percent of migrants leave due to economic reasons, while twelve percent left as a result of the civil war, and six percent due to family reunification and personal reasons such as marriage to someone from outside of Cotzal (Cuyuch Martínez, 2010: 11). In terms of destination of those who left, it is estimated that fifteen percent moved to neighboring Nebaj, another twelve percent to neighboring departments such as Cunén and Uspantán, an overwhelming sixty-two percent to Guatemala City, and eleven percent to Mexico and the US (Ibid). Yet, the report does not specify the number of people or estimates of those who work on a seasonal basis, often up to six months, in the fincas in the Pacific Coast. In accordance to these findings, one community leader states that every family has or had someone work in the capital or the coast to supplement the family's income.

To understand the impact migration has had within the Ixil Region, I focus on three areas which are expanded below: Internalized Racism and Ladinization; Land, Remittances and the Impacts of Migration on the Local Economy; and the Migrant Experience and Shifting Identities.

Internalized Racism, Ladinization and Gringoization

Many Ixils describe working in Guatemala City as a negative experience due to the city's dangerous atmosphere as a result of gang violence, and harsh working conditions characterized by low pay, exploitation, and mistreatment from employers. Another reason why some do not like the capital is the racism, discrimination and marginalization that they feel as indigenous peoples. Many are insulted or made fun of when they speak in a Maya language or if people find out where they are from. Since Cotzal is known as being one of the hardest hit areas during the war and which

strongly supported the guerrillas, some claim that they are called "guerrillas" or discriminated against by others.

Juan, a youth from San Felipe Chenlá, shares that when he was living in the capital some ladinos and a Spanish national invited him to eat. He tells of a story when his hosts taught him how to use utensils for the first time even though he was comfortable eating with his hands as he had done his entire life. Juan explains that in Cotzal, the majority of people do not use utensils and when the ladinos and Spanish taught him how to use utensils he felt as if he was a "savage" or as if he should have known how to use them. He says upon reflection that while they were discriminating against his use of hands, at the time of the incident, he felt bad.

In Guatemala City, I once contracted a *fletero* (truck driver/mover) to help me move a couch I bought from the furniture district *La Bolivar*. The *fletero* and I began talking. During our conversation, I asked him where he was from. He said "El Quiché". I followed with a "what part?". He answered "Cotzal". I then told him I was doing research there and that I was in Guatemala City to do some archival work. From there we began to talk as we were stuck in traffic.

He began to tell me his story. He was born near the community of Asich, and when he was a baby in the early 1980s there was a massacre in his community after the military came and burned it down. According to him, his mother abandoned him in the house alone, and that his grandfather saved him when he found him crying inside his house as it was burning. His grandfather then took him along with a turkey that was about to lay eggs, one in each arm, to the town center of Cotzal. He says that he never heard from his mother again and he grew up with his grandparents. He says that he moved to Guatemala City when he was around eleven, and worked in construction and eventually became a driver. He says that when he finds someone from Cotzal in the city, they act as if they forgot to speak Ixil. He responds by saying that he has been in the capital for a long time

and that he has not forgotten his language. He claims that other Ixils who migrate to the capital are ashamed or embarrassed of their roots, but he tells them not to be since they all come from the same place, and they should be proud.

Many of these feelings, emotions and experiences contributes to internalized racism and self-hatred that violently encourages Maya youth to ladinize in Guatemala, and it is these same factors that does the same to Maya youth in the US to latinioize themselves. The differences and similarities between ladino and Latino are captured by Milton who migrated to Los Angeles at the age of seven, and is also an example of how some Maya children feel upon arrival to Los Angeles. He says:

> I was treated as a Latino the moment I stepped in Los Angeles. As an elementary school student my complete ethnic identity was inexistent...I knew my family and myself were from Guatemala but somehow crossing two borders and the fear of being caught by la migra made me automatically want to blend in with the Latino, Mexicano identity. It was easier...people found it easy to just assume [that I was Latino]. [When I was fourteen], my grandmother was approved for a US Visa and she was able to come. During her stay I asked her if we were Latino. "*Ladino*?!" she responded, "*para nada. Nosotros somos indios. Ladinos son gente que renuncian a su pasado indio*."

He further explains that he continued to discuss the differences between Latinos in the US and ladinos in Guatemala with his grandmother, concluding that "either [identity] can erase our indigenous identity" while simultaneously acknowledging that people can find unity and empowerment in either identity.

In Cotzal, parents name their children after their parents. For instance, if a newborn boy is named after their paternal grandfather, and any males after him (if any) are named after their

maternal grandfather and other elder male relatives such as uncles. The same process occurs with newborn girls who are named after their paternal grandmother, and then other female relatives. This naming process is an Ixil cultural practice for grandparents to view their grandchildren as their "replacement" on this earth, and hence, creates a cyclical history. Thus, a great-grandfather in a family can have the name of Xhan Tom (Juan Toma), a grandfather Tixh Tom (Baltazar Toma), a father Xhan Tom (Juan Toma), and the son Tixh Tom (Baltazar Toma). The impact of globalization and migration has led to the rise to the introduction and adoption of new names such as Kimberly, Bryan, Wilson, etc. This by no means is the first time the Ixils have experienced the introduction of new names, since some of the current names in Cotzal are Spanish such as Miguel (Me'k in Ixil).

Land, Remittances and the Impacts of Migration on the Local Economy

Migration to the US has also led to a continuous and historical cycle of debt, the loss of land and the increase in the costs to buy land. Coyotes and smugglers charge between 40,000Q to 45,000Q (approximately $5,200 – $5,850) to migrate to the US, although some may charge up to 60,000Q (approximately $7,800) depending on their reputations. You are provided with three opportunities to arrive to the US, that is, if one gets caught by either Mexican or US immigration officials and deported, then the coyotes have to take you back until you arrive to the US or have used your three tries. The average income for an agricultural worker in Cotzal is 30Q – 35Q ($3.89 – $4.54) a day, and many use their land titles as collateral in order to take out bank or personal loans or loans from coyotes, all with varying monthly interest rates ranging from seven to eleven percent. If a migrant does not make it to the US after their three tries or is deported from the US, they lose their investment, and often times their land, which they left as collateral for a loan. In

these cases, many young people find themselves in an even worse economic situation than before their journey north.

In one case, Thomas decided to migrate to the US since he was recently married with a child on the way and wanted to provide them with a better life. He decided to migrate to the US and took out a loan with a coyote to take him, and had three opportunities per the terms of agreement. He said the first two attempts he was caught at the US-Mexican border after crossing into the desert. The third time he was able to enter Texas with a group of migrants from all over Central America after crossing the desert. He says they were in a pick-up truck with the group driving at night, but they were pulled over by the police, detained and eventually deported. This was his third attempt, and since he was unable to cross successfully and work in the US, he ran out of opportunities with the coyote. Worse yet, he had to pay back his debt. He put up his land where his house was located as collateral. Soon after his third attempt, he was forced to give his land to the coyote, but arranged to pay back the debt to have it returned.

Another problem with these debts is that they carry high interest rates, and depending on where the loan was taken out from (banks, credit union, family, coyote, *prestimistas*, among others), they carry a different range in annual or monthly interest rates. Often times, families put up their land as collateral, and if many are unable to make it to the US, then they lose their lands as seen with the case of Thomas. In some cases, these families are evicted from their homes if they cannot arrange a way to pay back their debt.

Another problem with loans is that sometimes banks and coyotes do not verify the types of lands or land titles they are taking as collateral. In Cotzal as in other parts of Guatemala, there are various types of land tenure. This includes communal forms of managing land such as ejidos and PAC, and thus, the community as a whole manages land, which includes authorizing land sales

within the community. Thus, if a family leaves their land that forms part of a PAC or ejido as a form of collateral for a loan, they may not have any legal validity since they are not individual owners and do not have the authority to sell their land. For example, on land titles given to the people of San Felipe Chenlá, there are certain norms within the community that one needs to follow. Among them is the norm of not selling their land to outsiders, and if they do sell land it has to be to someone who is not conflictive and needs to be approved by the community through a consensus via an *asamblea* (community assembly). Another example includes Acul, which formed part of the ejido of Nebaj until it was illegally transferred to the government during the war in 1983 after the military forced the mayor to turn their lands over to them and detailed in Chapter 1. Thus, land titles used as collateral for bank loans were then considered invalid.

The Migrant Experience and Shifting Identities

Migrating to the US can be a traumatic experience characterized by violence, fear, sacrifice, perseverance, among other risks, emotions and unexpected events. The emotional and traumatic effects of crossing through Mexico, detention by US Border Patrol and deportation can be observed through the experiences of Jose, an Ixil youth in his early-twenties from a community in Cotzal. I met Jose in 2012 when he was a student of the Ixil University. He played guitar, had a good sense of humor and when I returned in 2013 he was gone. I heard that he went to work in the capital and dropped out of the Ixil University, which is also one of the main reasons that many youth stop going to school. One night, I received a phone call late at night from his concerned brother telling me Jose was in a detention center in Florida. He explained that Jose was on his way to New York to go work with his older brother who had migrated two years earlier. His family did not hear from him for months.

One day I saw Jose walking in Cotzal and I ask him what happened to him. He told me he was caught and deported, but since he was visibly shaken up by the events, I decided not to ask any questions and just listen to what he wanted to share. When I interviewed him a few months later regarding his experience in education, he immediately began changing the topic of the interview and talked about his experiences migrating. This included how he crossed through Mexico and how his companions ran into narcotraffickers who intimidated them by shooting their guns into the air. He spoke about the hunger, the fear, the difficulties of crossing the Rio Bravo and then turning back when they saw US border patrol, the heat of the desert as they crossed, not knowing whether or not they would make it alive. He said that on his group's second attempt to cross into the US, the Border Patrol caught them after walking in the desert on their second day. Jose states that he was in detention for four months since he requested asylum and convinced immigration officials that he could not speak Spanish and just spoke Ixil. He said he could not talk about this with others in the community since they judge and criticize him for not making it to the US, and he felt he could tell me since I was not from the community. There remains a lot of trauma of what people experienced crossing Mexico and into the US. Jose's story demonstrates not only the emotional impact migration may have on an individual, but the consequences for the family as well.

In Nebaj, there is a restaurant founded by a Peace Core volunteer and which prides itself in providing sustainable employment to workers. Some of the previous and current waiters were immigrants to the US while others think about migrating and often ask me upon learning I am from Los Angeles the usual questions about life in the US. One of the earliest workers that I first met while conducting field research in the Ixil Region in 2012 was Jacinto from a community in Nebaj. I would continue to see him in my return in 2013. After a while, I did not see him anymore and

someone told me he quit to open a restaurant in his community, which did not have much success. A few months later, I went back to this restaurant and as I was leaving, one of the cooks approached me and asked if it was true that I was from the US, and once affirming her *duda*, she asked me if I knew how to locate someone that was detained by the US Border Patrol. I quickly went online to the US Immigration and Customs Enforcement's Online Detainee Locator System and entered the information that she provided me. There were no hits. I asked how she knew Jacinto was detained? She said his family asked her to ask the gringos who come to the restaurant for help after they received word from the coyote they had contracted, that Jacinto got weak in the desert and he was left near a path where Border Patrol passes through. I then asked, how long ago did this take place? She said, two months ago. At that point, I thought about Jacinto and his family. Anything could have happened since he had left Nebaj. Was Jacinto alive? Was the coyote lying? Did he make it, or was he detained? Where is Jacinto? What I could see was the look of concern in the eyes of the cook. I could not imagine what Jacinto's family was feeling.

In 2014, the Guatemalan Forensic Anthropology Foundation (FAFG) began to use its DNA database to identify unclaimed bodies that were found along the US/Mexican border and desert. The FAFG has a DNA database and collects blood samples in Guatemala, and most recently in the US, from people who lost relatives during the war in order to identify victims found during exhumations. There campaigns are visible throughout areas affected heavily by the war. Thus, a person could provide a blood sample to try to locate a parent or another relative during the war, and now use that same sample to try to locate a child or relative that was lost during their trip to the US or in the desert. There are cases in which people had relatives killed or disappeared during the war, as well as lost on their way to the US. The latter are the new *desaparecidos*/disappeared.

Later that week, I ran into Jacinto's ex-coworker who I also met at the restaurant and who had also migrated, worked and lived in the US. We stopped to talk and I asked him if he had heard of what happened. He did. He then began to say that Jacinto died because "*no aguantó*" and said that he should have brought more water or fruit with him for the long walk in the desert. Essentially, he was arguing that one only makes it to the US if they are tough, strong and smart enough. These were similar discourses I heard in other interviews and conversations with people, a type of masculinity that exists within migration.

The identities of indigenous immigrants are constantly being negotiated, debated, contradicted, recovered, repressed and created. A case that many scholars tend to overlook involves Maya immigrants of more than one ethnicity, whether it be Maya and ladino/mestizo, or two Mayan ethnic groups. Nicolas is K'iche' on his father's side and Ixil through his mother. He migrated to the US from Cotzal in 2012 when he was nineteen and has been working in the LA garment factories. He says that many K'iche's, or who he jokingly calls "*esos gueyes*", make fun of his K'iche' since he does not pronounce some words properly. Even though many in Cotzal view Nicolas as K'iche', he feels more Ixil in Los Angeles.

For some Ixils, migrating to the US also means transforming from a *campesino* to a member of the working class, proletariat, wage earner and/or laborer. Miguel is an Ixil from Nebaj who fought as a guerrilla for sixteen years, worked in peace and reconciliation following the war, and now a member of the *Alcaldía Indígena* of Nebaj. Miguel shares that he migrated to the US on a tourist visa in 2002. He says that in the US, you work harder than you have in Guatemala. Miguel says that when he was working in the finca San Francisco, the *mayordomo* grabbed his *costal* and threw all of the coffee he picked on the floor since he said that Miguel "did not do it right" and

kicked him to the floor to pick it up. But despite that, he claimed that it was harder to work in the US then it was when he worked in the fincas.

The difficulties of labor organizing can be seen in a testimony provided by Alex, an Ixil who migrated to the US at the age of fifteen due to family problems. He states that he lived in Ohio where he worked in a poultry factory where they killed approximately 80,000 chickens a day, and where there were 250 workers who worked 12 hours a day with low pay. Alex says that he and the workers at the poultry factory organized and began to strike in order to demand better working conditions and labor rights, which were being ignored. As a result, Alex was reported to the authorities by his employers and was subsequently deported. Today, he does not think of returning to the US and prefers to create, recover and try to live *tichajil* in his community. For example, he says that in collaboration with the youth and community authorities, they created the *mercado campesino* where *campesinos* can sell their agricultural products since the majority of vendors at the market are "*revendedores*" and many products sold there contain chemicals and/or were grown from outside of the region.

Acting Out Immigration

In December 2014, I participated in two forums in Nebaj and Cotzal designed for youth from the Ixil Region and others to explore, debate, analyze and understand the causes of migration. The gathering in Nebaj was organized by an NGO and I was asked to give a talk to provide a historical context of migration from Central America to the United States. The meeting in Nebaj brought together participants and youth from rural and urban places from Guatemala, Honduras and El Salvador, non-indigenous and indigenous, and men and women, as well as youth from Nebaj and Cotzal. I organized a second forum in Cotzal in collaboration with the *Red de Jovenes*

Cotzalenses that included only Ixils and K'iche's from various communities of the municipality. One of the centerpieces of the forums was to perform theatre in answering the question, "why are youth leaving to the US?". Afterwards, participants had to find solutions to resolve the problem of immigration. The use of theatre was intended as a collective exercise to allow youth to define, discuss and begin to understand the structural problems of migration as a group.

In Nebaj, the participants were divided into four groups in order to represent two urban and two rural contexts. The participants from the urban contexts focused more on gang violence, family reunification, and the lack of employment as the motivating factors to migrate to the US. In Cotzal, there were three groups, all of which had Ixils and some with K'iche's. In Nebaj, only two of the thirty participants had migrated to the US, and only one of the twenty participants in Cotzal. Many of the participants in both forums currently have or had a relative living in the US. All of the performances in Nebaj were done in Spanish. In Cotzal all of the performances were done mainly in Ixil, and Spanish was mainly spoken only when participants in the acts interacted with coyotes, ladinos, or were in route to the US.

The workshops produced a lot of dialogue and it was through these discussions that participants identified various factors on why youth migrate. These causes include poverty, social violence, extortions by gangs, family problems, family reunification, and a growing mentality of consumerism. In order to understand some of these issues, there was a debate surrounding "*el vivir mejor*" and the "*el buen vivir*"/*tichajil*. Within the workshop, participants defined "*el vivir mejor*" as something rooted within a consumerist mentality that seeks to increase individual materialistic and superficial gains and property. Today, this means having a good car, cellphone and a big house, a lifestyle characterized and based on consumerism. In comparison, "*el buen vivir*"/*tichajil*, is a

concept based within an indigenous perspective that promotes a healthy life that promotes balance within the family, neighbors and community.

The space given for reflection during the workshop also provided an opportunity to examine the consequences of migration and analyze the benefits and loses at an individual, family and community level. The participants acknowledged that migration caused and led to family disintegration, and loss of land, identity and culture. In addition, they identified the dangers that migrants confront in crossing multiple borders to arrive to the US and include sexual violence, psychological trauma, changes in life styles, and death. The threat of deportation is a risk that migrants have to constantly deal with on a daily basis when crossing to and living in the US. Below are two of the skits performed from participants from the workshops in Nebaj and Cotzal that represent the various perspectives of migration through the point of view of the youth from the Ixil Region.

Education, Vergüenza, and the Dangers of Crossing Multiple Borders

One of the groups that presented their skit focused on the topics of education, *vergüenza*, and the dangers of crossing various borders. The first scene shows a nuclear family consisted of two parents and their two children (a brother and a sister). The family starts the day with breakfast and talking about the importance of an education. The father, who is a *campesino*, declares that his children have to study so they do not have to suffer like he has since, according to him, work in the fields is hard.

The children then go to school where the teacher reassures them that if they study hard, they can become teachers and afterwards they could obtain a good job and not work in the fields like their parents. The brother and the sister are convinced that an education is necessary to avoid

suffering like their father and working in the fields. They return home to tell their parents what they learned in school and that the work of *campesinos* is "dirty", and they convince their parents to accept these views. The father commits to selling his lands so that the family has money to send their children to school. The mother adds that they she heard on the radio that "the best inheritance is an education". In this instance, education is seen as a way out of poverty.

It is graduation day and the teacher awards the students with their diplomas at a ceremony. Now equipped with their diplomas, the brother and sister try to find employment at the Ministry of Education, but their applications are rejected since there are no job openings for them. Although the brother cannot find employment as a teacher, he does not want to go back and work the land. He gets *vergüenza* of being a *campesino* since he is a professional and refuses the offers of his father to pick up a machete or *azadon* and work the field. Desperate due to their unemployment and needing to make money to buy back the land their father sold to send them to school, the siblings inform their parents their desire to migrate to the US to "earn dollars" and that way they can buy back the land that they sold to finance their studies. They are reassured that in the US they will have a good life and live better. After a family meeting where it was evident that women had less of a voice in the decision-making process, the family agrees and gives permission to the siblings to migrate.

The siblings go with the coyote to begin their journey north, which is characterized by a lot of dangers. During the trip, various coyotes take over guiding the sibling north throughout various steps of the way. They are abusive and mistreat the siblings with insults. En route to the US, one of the female coyotes says she needs to go out to buy some food and takes the sister. During this scene, the coyote calls a woman to see the "merchandise," in reference to the sister. After the woman comes to view the sister and evaluating her body, she is taken away by force and

her destiny is unknown and ambiguous, but it is suggested that she was going to be trafficked as a sex worker against her will. The coyote returns and lies to the brother saying that his sister was lost after immigration came and took her. The brother is saddened with the loss of his sister and he is prevented from calling his parents to inform them of his sister's fate.

The skit ends when the brother enters the US where he finds a job at a poultry factory. He works for twelve hours a day, five days a week under harsh working conditions and bad pay. Neither the sister nor the journey are mentioned again. Symbolically the last scene ends with his boss giving him a machete to process and kill the chickens, the same tool he refused to use to work the fields. Thus, suggesting that if he stayed home, none of this suffering that the siblings experienced would have occurred.

Colonization and Interfamilial Violence

Another group divided their performance into two parts. The first part featured the arrival of the Spanish to Guatemala and the way in which indigenous peoples lived before colonization. In the first scene, two families are sharing food and the presenters explain that this was a system of "*trueque*" which was an exchange of goods of services between neighbors, and which characterized pre-Columbian economic and social relations. In the following scenes, the Spanish arrive and displace the community in a violent manner during two battles. They decide to stay and appropriate the indigenous peoples' lands and practice monoculture by deciding to grow coffee.

The second part of the theater piece bring us to the present where a family is waking up for the day. The father of the family is the first to wake up and abusively tells his wife by pushing her in bed that she needs to prepare breakfast. There is not sufficient food since, as the mother points out, the father is an alcoholic who wastefully spends it on liquor. After the father leaves for work

with his son, the children and mother lament the violence that befalls on them through the father. The daughters discuss the possibility of migrating to the US to "earn dollars", which would allow their mother to leave her abusive and violent husband. The mother says that she does not want any of her children to leave since it is too dangerous and affirms that she can continue dealing with her husband. The son returns from work without his father and informs the family that he went to the bar with his friends. The family looks concerned for the inevitable conflict and violence that the drunken father will bring.

Later that night, the father drunkenly enters the house and demands to be fed by his wife. A verbally and physically abusive exchange begins, and during the fight the son escapes and finds his friend on the street. The son is frustrated and tells his friend the problems his family is facing and his desire to migrate. His friend responds by confessing that he is "tired of working" and that he wants to migrate to the US to "earn dollars", buy a house and a car in order to attract "the girls" making it seem as if life in the US is easy and luxurious. The two friends agree to leave to the US that same night. The son later returns to the house to find his mother beaten up and sad. He tells his mother that he is going to *el Norte* and despite her pleas and her fears that this might be the last time she sees him; he leaves with his friend to begin their journey.

The friends meet up with the coyote and arrive at the US border. The coyote informs them that they have to wait for another coyote in a warehouse. The coyote leaves and the two friends are left alone. The scene ends without the audience knowing if the other coyote arrives, whether or not the two friends made it to the US, if they survived, or if they were caught and deported. Their fate, like many other migrants in real life, is left unknown.

Acting out Real Life

While these were all fictionalized skits, the examples and stories they told were based on actual stories participants heard from friends and family members who migrated in the past. Women's role in migration to the US was another theme that emerged from these events. Many of these groups mentioned violence against women, specifically sexual violence when crossing the border. Two K'iche' women who I interviewed and were not participants of the theatre forums, said that one of the main reasons for not migrating to the US was the threat of sexual violence. Maria, 24 years old and K'iche Maya from the Ixil Region, said "I wanted to migrate, but once I heard about these stories I decided it wasn't worth it." Similarly, another K'iche woman from Chajul in her 20s, also said the same thing.

Conclusions

Migration from the Ixil Region to the US forms part of a history of systematic displacement. The Ixil are marginalized by state and colonial institutions and development projects that have directly and indirectly pushed them off their lands. With the discourses of poverty and specifically gang violence taking hold of the dominant narratives of Central American migration, US foreign policy and Guatemalan development projects will be centered around militarization and international investment as evidenced by the 2015 Alliance for Prosperity. The role of other factors that fuel migration such as land inequality, megaprojects, consumerist capitalism and the multiple manifestations of violence, need to be taken into consideration within public policy geared towards deterring migration.

Often times, these migrations and displacements lead to cultural loss, shifting identities, and in some cases, further debt and trauma. As we saw in this chapter, there exists racism and

discrimination that leads to cultural loss such as no longer wanting to speak an indigenous language. It is in this way, that Ixil and other indigenous peoples experience further violence and trauma while abroad. The theatre skits demonstrate the different manifestations of this violence as well as their understanding as to why youth are migrating to the US.

The need to promote *tichajil* and alternatives to migration has recently been used by some Ixils to address the structural inequalities that fuel migration. The youth at the two forums compared *el vivir mejor* and *tichajil* to explore why youth were migrating. *Tichajil* as a concept has become important in combating racism and discrimination by recovering Ixil identity and culture, something that the Ixil University, as we will see in the next chapter, is working towards in order to empower youth.

CHAPTER 5: THE IXIL UNIVERSITY AND THE DECOLONIZATION OF KNOWLEDGE

After a dialogue meeting with Enel in July 2011 in San Felipe Chenlá, I was invited by some of the leaders to stay for another event. As Enel's representatives and other observers left the community building, about thirty youth from various communities of Cotzal gathered inside. One of the leaders said that they were going to inaugurate a new university. As the event began, the facilitators and administrators expressed the need for Ixils to conduct their own research and not rely on outsiders such as anthropologists to do this work who "*solo sacan información, y se van*" ("only take out information and leave") or "*solo sacan información y nunca regresan"* ("only take out information and never return"). For them, the educational system had failed the youth of the Ixil Region, since many learned about histories, knowledges, culture and languages that were not their own, but rather of foreigners. Instead, they needed an educational system that taught people knowledges that would serve for the benefit and in defense of the communities, particularly with arrival of megaprojects. The goal was to recover *tichajil* and create a new model of education. While listening to all of this, I was intrigued and fantasized about dropping out of my doctoral program and becoming a student of this new university called the Ixil University. As the only US born and as the only anthropologist in the room, I felt awkward since I was the outsider conducting research in Cotzal and was an agent of this extractivist industry of the western academic project.

Indigenous decolonization within the educational system has been a facet within decolonial studies, with much work focused on decolonizing academia and its methodologies. Academia is often considered a pillar of colonialism in monopolizing the production of knowledge, and there have been a range of critiques and proposed solutions to confront these problems and challenges to best rethink our roles and relationships as educators and researchers with the communities we work with. These proposals include decolonizing academia and critical indigenous methodologies

(Harrison, 1991; L. Smith, 1999), pedagogies of the oppressed (Freire, 2002), activist anthropology (Hale, 2008), black feminist thought (Collins, 1991), Chicano personal narratives and storytelling (Aguirre, 2005), among others. At the same time, outside of the walls of the Ivory Tower, there are many efforts from indigenous communities and marginalized groups to create their own forms and spaces of knowledge production and education. The Maya in the Ixil Region have been theorizing and debating these questions on the roles of education through the Ixil University, founded in 2011 and which seeks to teach students Maya ways of knowing, values and *tichajil* (the good life/*el buen vivir* in Ixil).

The curriculum of the Ixil University focuses on three objectives: 1) Territorial Development; 2) Management of Resources and Environment Preservation; and 3) Ixil History and Culture. Much of the curriculum seeks to prepare students to recover their identity, culture and history as well as prepare them to defend their community's natural resources and territories, especially with the arrival of megaprojects in the region. The Ixil University is an innovative initiative unprecedented in Guatemala and has received national and international media coverage and has inspired other Maya groups to create their own universities (Botón, 2015; Figueroa, 2013; Flores, 2015). In his opening remarks entitled "Pluriversidad, Decolonialidad y Constelación de Saberes" at the oral thesis defense of the first cohort of the Ixil University held in November 2013, then-Rector Vitalino Similox claimed:

> This academic exercise is meant to cultivate our own cosmovisions, wisdoms, technologies, values and principles, productive and economic models, cultural practices that do not form part of the classical, European, North American formal curriculums, nor with the idea of forming professionals for the free market, but instead to understand, transform the needs and demands of their communities. The participants of the Ixil

> University, with this process, forms and strengthens their own capacities and potential. They prepare to become entrepreneurs and not employees, managers and subjects of their own destinies and not the objects of destiny (translation mine)

It is this vision of anti-neoliberal self-empowerment of students to serve their communities among other reasons that have inspired other communities in Guatemala and elsewhere to adopt this model. The Ixil University does not have state recognition, but it has the recognition of the ancestral authorities as well as other universities at the national and international level in the form of *convenios* (agreements). The Ixil University does not have a physical campus, but rather holds classes in different communities of the region.

The purpose of this chapter is to examine the origins of the Ixil University, the problems and criticisms it has encountered, and to offer their example serves as a point of reflection for educators and researchers. To achieve these goals, I will first examine the colonial nature of state-based formal education. Second, I will examine why the Ixil University was created, as well as its functions, goals, and the work being produced there.

I find my position ironic and enriching since I am an anthropologist trained within US academia, and at the same time, I am a self-identified K'iche' Maya born in the US who also has the personal project of recovering my indigenous roots, identity and history. While I served as a tutor and facilitator, I also consider myself one of the Ixil University's students since I learned a lot about Maya worldviews, history, spirituality, culture and ontology.

The Ixil University should not be viewed as an object of study and I hesitated to write this chapter, mainly because I wanted to avoid the risk of romanticizing and appropriating their work. But, I decided to do so after I was encouraged by various members of the Ixil University to write an analysis of their work. My goal is to provide a reflexive critique of academia and its colonial

nature, as well as presenting the Ixil University as a space where we can all learn from. The Ixil University is an example of how indigenous peoples are creating their own spaces, within their own territories, for the benefit of their communities (not individuals). They are not opposed to western education, instead they are open to all forms of knowledge. It is the western system that was designed under an extractivist colonial logic that marginalizes, appropriates, destroys, and attempts to delegitimize all other knowledge. My hope is that their example can aid us towards strengthening our efforts and providing us with another set of tools in decolonizing academia and knowledge.

Education in Guatemala and the false promises of Salvation, Civilization and Development

During the genocidal campaigns to the West in the United States, Captain Richard H. Pratt in 1892 argued that in order to "civilize" the "savage" Native Americans the state had to "Kill the Indian…and save the man". Educational policies throughout the world seemed to follow this underlying logic. It is now well documented that in countries such as Canada and Australia, indigenous children were abducted and kidnapped by the government, and forced into boarding schools as a means to assimilate them into the dominant western model and culture. Thus, the educational system was a tool of cultural genocide in which indigenous peoples experienced culture loss in language, dress, spirituality, and further imposed a hierarchy of knowledge and values in which European/western was superior to all others. As a result, it became a space in which indigenous peoples learned to become ashamed of their roots.

"El Problema del Indio" and Education

Education in Guatemala has historically served to ladinize indigenous peoples into a "national culture" and has served as a space of physical and epistemic violence that views indigenous knowledge, culture and history as backwards and irrelevant (Montejo, 2005). Formal, state-based education began in 1831 when Liberal politician José Felipe Mariano Gálvez (1831-1838) took control of education away from the Catholic Church and establishing "free and obligatory public schools" (Carey, 2001). Educational reforms since then have tried to correct some of the more discriminatory aspects of education, but its underlying function is to resolve "*el problema del indio"* and assimilate indigenous peoples into a "national culture", meaning ladino and western culture. There were many who promoted several ways to address *el problema del indio* in the Americas, which manifested itself in multiple ways that include genocide and massacres and cultural genocide through assimilation and ladinization as highlighted above with the "Kill the Indian…and save the man" ideology. Other marginalized groups have also suffered violence on various fronts due to their ambiguous status in not fitting into the national imagery of dominant groups and have also been viewed in a negative manner that include the "Jewish Question" in Europe and the "Negro Problem" in the US, the former which the Nazis tried to "solve" through genocide during World War II.

The general idea is that "*indios*" are the reason for underdevelopment, backwardness and a social disease that needs to be "solved" if Guatemala is ever to be a developed nation. For example, according to Arturo Taracena Arriola (2002), the revolutionary government (1944-1954) was divided between two ideological camps in discussing *el problema del indo*, which included the *abolicionismo del proteccionismo* and the *proteccionismo indígenista* (37). The first held that indigenous peoples had to give up being an *indio* in order to incorporate into ladino society. The

proteccionismo indigenistas sought to protect the indigenous people and their culture since they were weak, with the ultimate goal of gradually incorporating them into the national culture through non-violent means (Ibid). These two racist mentalities and ideologies continue to be present within Guatemalan society, and this debate has shaped social and public policy.

Many indigenous communities in Guatemala tell the stories of *abuelos* (elders) whose parents hid them in the *temazcal* (sweat lodge) and other locations to avoid being taken to school by ladino truant officers created in 1929 to force and oblige all children to go to school (Carey, 2006: 182-3, 190). While some say the *abuelos* should have let their children study, others say that going to school was bad since that is where children learn to be lazy and not work. Others were critical of teachers who were almost always ladino, many who held racist attitudes towards Mayas. Classes were also all in Spanish and many were not allowed to speak in their Maya languages. For example, in the 1940s the *Instituto Indígena Nacional* observed in many towns parents unwilling to send their children to school based on social reasons. In Parramos, Chimaltenango the Kaqchikels believed that "school was a waste of time since teachers were not dedicated in efficacious teaching" to indigenous children, preferring instead to dedicate their efforts toward ladino students (Instituto Indígenista Nacional, 1948a: 47, translation mine). Furthermore, indigenous parents made their own recommendations to improve the education system. This included the need for well trained teachers who were of indigenous background since ladino teachers "only preoccupied themselves in teaching their own race" (Ibid, translation mine). Other communities such as that in Santa Catarina Barahona, requested that teachers be respectful to their children and to show "care and confidence to the indigenous" (Instituto Indígenista Nacional, 1948b: 41, translation mine). In a more explicit example of distrust towards the education system, the Kaqchikels of San Juan Sacatepéquez, Guatemala claimed that ladino teachers refused to

adequately teach their children due to their "racial prejudice" and fear that if indigenous children were educated they would no longer "conform to submission or be influenced" by the ladino (Instituto Indígenista Nacional, 1948c: 52, translation mine). These comments from Kaqchikels in the 1940s demonstrate perceptions of unjust practices based on racial biases within the educational system which favored ladinos. Education in this form was not about intellectual growth and empowerment, but rather a system of control. This violence is not limited to school structures and buildings, but carried out by researchers, mainly from the "developed" "western" world who become agents (willingly or unwillingly) of these repressive forces by reproducing hierarchies of knowledge that fuel violence, marginalization and exclusion of "other" knowledges and worlds.

One of the primary objectives of schooling was to teach indigenous peoples to learn Spanish. While learning a new language is not repressive within itself, the intention of teaching Spanish is meant as a step towards ladinization in which indigenous peoples will stop speaking their own language. During the 1945 Constitutional Assembly, Marroquin Rojas expressed the expectation that the indigenous people would replace their language with Spanish when he stated, "Here [in Guatemala] we do not run the risk that *quiche* or *quekchi* will displace *castellano*; out of good fortune that is a [matter left to] schools, to oblige those *indios* to learn Spanish (Asamblea Nacional Constituyente 1951: 63, translation mine).[11] Another participant of the assembly, Secretary Rölz Bennett, disagreed with Marroquin Rojas, and raised concern that the various indigenous "dialects" did present a threat to the Spanish language (Ibid). Literacy campaigns were also used to help in the hopes of eventually eliminating indigenous languages. In November 1944, the three-man junta in power at the time established the *Comite Nacional de Alfabetización* to

[11] This statement was made during debate over the official language of Guatemala. Some feared that European immigration might threaten the use of Spanish. Others feared indigenous languages would. Marroquin in particular was concerned that making Spanish the official language would demonstrate servility to Spain.

initiate a national literacy campaign. The committee's preamble declared that there was an "urgency to incorporate all Guatemalans to one citizenry" (Chavarría Flores 1952: 52, translation mine). The committee attributed the causes of illiteracy to many factors which included, the various indigenous "languages and dialects," social behavior such as "laziness, vagrancy and alcoholism," which were "accentuated in these ethnic groups" as well as "ignorant parents who do not send their children to school" (Ibid: 12, translation mine).

The role of teacher and schools as a form of salvation and avenue for development is symbolically captured through a 1950s-handbook entitled *El Maestro Rural: Guia Metodologica para la Enseñanza del Idioma Nacional a los Niños Analfabetos* as a guide for teachers who work in rural areas. According to the handbook, the purpose and role of the teacher were the following:

> La finalidad que persigue el Estado por medio de la escuela y del maestro, es la de educar a los niños; la culturalización de las masas y *la incorporación del indio al seno de la civilización*; el maestro es el apóstol abnegado que predica en la escuela y que riega su luz por todas partes; *la escuela es el templo sacrosanto en donde oficia ese sacerdote mártir,* pero que lleno de fe, inculca en los corazones infantiles la virtud que hace a los hombres grandes y sabios y eminentemente buenos (Secretaría de Educación Pública, 1945: 80-81, emphasis mine)

The imagery of the (male) teacher being a "*sacerdote mártir*" that will bring indigenous people to civilization by visiting the temple of school highlights the role the educational system had in another "spiritual" conquest, only that instead of churches, governments (from dictatorships to revolutionary) built schools as a form of control, as exclusive and repressive walls that created epistemic violence. To question the educational system and its perceived benefits would thus be sacrilegious.

In Guatemala, there are 14 private universities, and one public university, all of them with their flagship campus in Guatemala City, some with satellite campuses throughout various cities of the country. The only public university is San Carlos University, which is provided with 5% of the national budget. The remaining Universities need to be approved and overlooked by the *Consejo de Enseñanza Privada Superior* (CEPS), which was founded in 1966 during the military dictatorship of Coronel Alfredo Enrique Peralta Azurdia (1963-1966) and forms part of the Ministry of Education. Six of these private universities are named after non-indigenous men (ladinos, Europeans and Catholic saints) such as Universidad Da Vinci de Guatemala, Universidad Galileo, and Universidad Mariano Gálvez. In the Ixil Region, there are various satellite campuses with almost all of them operating in Nebaj. In 2015, the first university began operating out of a school in Cotzal, and to my knowledge there have been none in Chajul. Depending on the University and location, registration fees vary as well as non-academic costs such as transportation and housing since many of these universities are in centralized locations in cities. Some attend classes offered during the weekends. For example, there are those who travel from Nebaj to Santa Cruz Quiché (the Department capital) as early as 3am to take classes all day and then return home on the same day, as late as 8pm. Travelling is also costly. To travel from the urban center of Nebaj to Santa Cruz Quiché is Q50 round-trip. This does not include meals, and these transportation costs are more expensive if you are coming from a community away from the town center, Cotzal or Chajul. To receive a university degree is based on a lot of sacrifice and hard work and no easy feat, and it continues to be inaccessible, expensive and centralized in urban spaces.

At the end of the civil war in 1996, there were efforts to create the Maya University, an initiative that sought to promote Maya identity, but there were both internal and external problems that prevented its creation. Actors involved say they were close to becoming certified, but CEPS

required a series of conditions to approve it, which included huge fees that made it impossible to come to fruition. One interviewee involved with this process also cited internal divisions as a reason for the Maya University to not come into fruition. In the same manner, the Ixil University initially explored these requirements, but concluded that being recognized by the state would lead to their intervention within their university. In order to preserve their autonomy as an educational institution, the Ixil University decided not to seek official state recognition.

Megaprojects and Education

Today, public schools are underfunded and many teachers are underpaid. Educators who protest and go on strike to complain about these conditions are often criminalized by politicians and others.[12] Development projects and corporations take advantage of these needs and problems, and offer superficial solutions to structural problems by offering to provide support, and in some instances, build schools and infrastructure. Among various reports, documents, and press releases, Enel, like other companies, highlights their initiatives of their Corporate Social Responsibility (CSR) programs, particularly their role in helping indigenous women, health and in the areas of education.

During the dialogue between the communities of Cotzal and Enel, one of the *Testigos de Honor*, Similox continued to remind participants that funding and projects in infrastructure and the areas of education is the responsibility of the state and not corporations. Enel provided funds to build schools in San Felipe Chenlá, and Los Angeles where they built three classrooms. Moreover, they distributed 3,927 backpacks to 20 schools in Cotzal, and 7 schools in Uspantán

[12] See Pitán (2017) regarding a hotline that parents can call to report teachers who miss classes due to strikes and protests.

(Enel Green Power, 2014a: 17). When I asked people in Cotzal about these backpacks in 2015, many stated that while they were grateful for the gift, it was a one-time affair. The other educational initiative was sending two women who Enel said were "grandmothers" who were "between 35 and 50 years old and with low education levels" to Barefoot College in India where they became trained in installing solar panels (Ibid: 18). The idea behind this initiative is that these women would return to their community of Xeputul II and train other women. When I visited Xeputul II, community members and leaders claimed that there was an event held, and many pictures taken, but that the panels were installed not just by these two women, but by others who were not from Xeputul II. In addition, there is no maintenance for these panels, so if one breaks down, then there would be no replacement for it. While the need of women participation in these sectors is crucial, Enel and the other NGOs involved used the image of indigenous women to promote and sell the idea that they are contributing to local development through education.

In previous years, Enel has held competitions in which youth are sent abroad to present their ideas on combating global warming and climate change. The director of one of the schools in San Felipe Chenlá and other youth recall having the opportunity to travel to Costa Rica and participate in a meeting with other youth whose communities are also being impacted by Enel's projects. Youth who participated in these trips recall going to meetings, but also having the opportunity to play paintball, stay in hotels and travel. One community leader in Cotzal claimed that these trips are strategic, and meant to gain support among young people and fill their heads with false ideas. At least one of these participants who benefited from Enel's trip was the younger brother of one of the nine leaders who was being persecuted and had an arrest warrant issued in 2011. The leader says that his younger brother through this trip with Enel, was sitting at the dinner

table of the enemy. His acceptance to participate in the trip, led to tensions and divisions within the family, and he believes that his brother was selected precisely for these reasons.

Education in Guatemala as in other places in the world, has been used for nation-building, ladinization, and reinforcing racial and epistemic hierarchies. While debates surrounding *el problema del indio* are no longer in use within public discourses, they remain embedded within other debates surrounding development. Many of these issues are explored in the next sections.

Decolonizing Academia

Linda Tuhiwai Smith's *Decolonizing Methodologies: Research and Indigenous Peoples* argues that "research" and western academia is tied to European imperialism and colonialism, and which is negatively viewed by indigenous communities across the world (1999: 1). In addition, she states that indigenous communities have an "alternative story [of] Western research through the eyes of the colonized" in the form of counter-stories (Ibid: 2). Research in these cases also include journalistic and amateur works. Furthermore, Smith claims that research questions can be "rude" and that at "a common sense level research was talked about both in terms of its absolute worthlessness to…the indigenous world, and its absolute usefulness to those who wielded it as an instrument" (Ibid: 3). Anthropologists are the most visible actors within these critiques due to the ethnographic nature of their research and its dark history as a discipline.

Among the various disciplines, Anthropology found its origins in dedicating itself to the study of the "Other," which meant non-Europeans. Eduardo Restrepo in "Antropología y Colonialidad" (2007), claims that many view "anthropology as the child of colonialism" (290, translation mine). Some anthropologists, who are wary of their discipline's past, claim that with the anti-colonial struggle and the disappearance of colonies throughout the world, anthropology

has ended its relationship with colonialism (Ibid). Restrepo argues that this form of thinking in order to understand the relationships between anthropology and colonialism, not only avoids the discipline's colonial origins, but does not allow us to understand how coloniality constitutes the current state of the discipline (Ibid). He states that anthropologists through their ethnographies contributed to the administrative, military and economic system that reproduced colonial relationships of domination (Ibid: 296). Indigenous peoples have long critiqued the role of anthropologists in colonizing indigenous knowledges, stealing artifacts and contributing towards their oppression (Deloria, 1969).

While many works have been written about the Ixils and other indigenous peoples across the world, the vast majority of them have never read or are unfamiliar with these works. Despite calls to decolonize knowledge and make our research more accessible, the general sense I have from various communities and people in Guatemala, both in academic and non-academic spaces, is that this does not happen in practice. Books are expensive and inaccessible to people outside of urban spaces, and electronic versions of these works are not translated in the language where research was conducted and assumes people have access to internet, a computer and electricity. Academic conferences continuously take place in very expensive hotels, in very expensive cities, in very expensive countries that require visas, and are mostly attended by academics. Over theorizing concepts and events without providing solutions to problems is not useful on a practical and real life level for people on the ground. This is not an anti-theory position, but rather another call to find balance and making our research not just more accessible but more applicable and useful. Many indigenous peoples have pointed to how irrelevant academic research is to the real world. Whether one agrees with these sentiments, it is an indicator to a very serious problem. It is

this history of the educational system and critiques that contributed to the foundation of the Ixil University.

Origins of the Ixil University

The history of the Ixil Region tells us a lot about the problems that the Ixils confront such as threats to ancestral territories, natural resources, and the imposition of western perspectives that devalues Ixil worldviews, identity, culture, territories and cosmovision. One of the main reasons the Ixil University was created was the view that the educational system was failing to prepare future generations to confront new challenges as well their detachment from their communities. The educational system is often viewed by marginalized communities as a form of social upward mobility and as a very prestigious endeavor in "making it". Among the critiques that the Ixils make regarding state-based western education are that there are no jobs upon graduating. Moreover, an education prepares students to learn knowledge that is not applicable to their daily realities. Instead, students sometimes become ashamed of their indigenous and *campesino* identity since the educational system teaches them that this is not the road to a better life. To be a professional brings you social upward mobility, status and success. As a result, those who cannot find employment upon graduation sometimes refuse to return and work in the fields since it gives them *vergüenza* to do so. It was estimated by a community leader that in Cotzal there were 800 unemployed professionals, such as nurses, teachers and accountants. There is also a common expression to highlight this employment crisis, "100 teachers graduate, and there is only one job". Many of these job posts are also offered as political patronage by municipal mayors and politicians. Moreover, Ixil and indigenous students at times become and feel alienated and detached from their

communities as well as experience discrimination and racism from their ladino counterparts within universities.

Attending school is also very costly and leads to debt, which can make school more inaccessible. Since there are no jobs, accessing the educational system is a big investment and gamble. At times parents are forced to sell their lands to provide an education to a limited amount of their children, usually male, which leaves many women from attending school. Moreover, there is no public funding within the educational system, and this impacts the quality of the school system. Corruption at all levels only exacerbates these problems and there are many instances of teachers not getting paid for months. One young Ixil teacher told me that he was instructed by the municipal mayor to split half his paycheck with another teacher, and if he did not do so, he would be fired.

Western education is viewed by the Ixil as providing individual benefits, as opposed to community benefits in accordance to Ixil worldviews. I do not believe anyone questions one's dream of upward social mobility or providing a better livelihood for oneself and family, but there are complaints about university graduates who take advantage of their community and others who cannot afford their services. For example, some have said that an Ixil that becomes a medical doctor charges an unaffordable amount to cure people, a complaint made in developed countries like the United States as well regarding unaffordable healthcare. This is in comparison to a *curandero* or healer who views their role not as a way to make money, but rather their "calling", "responsibility", and/or "*cargo*" (position/job). Instead, many healers traditionally could not charge people directly and accepted whatever people could afford and offer. To heal someone is a gift, and to profit off of it would be unethical. Many *curanderos* say that those who are born with the gift of healing become ill and could even die if they do not take on this responsibility.

Another example is a lawyer who charges high fees for a signature, paperwork or to defend people in courts. For Ixils, a lawyer should not be exploiting their knowledge of laws to make money, rather they should use their knowledge of the legal and justice system to defend the rights of people and communities. The need for expensive professional services such as lawyers in social movements is extremely important, particularly when community leaders are persecuted by foreign companies and the state and threatened with arrest warrants. While there are some professionals who do pro-bono work, it is difficult in assisting communities without money and funds. For example, a lawyer informed me that a *peritaje* (legal study) used for judicial cases can cost up to thousands of dollars. When it comes to conducting research for legal cases, professionals will not or cannot do it for free since they need to support themselves. Currently, with the consultation process involving a Constitutional Court Resolution in Cotzal, there was a need to conduct legal studies, but without funds people were unable to do them. When professionals and academics come to the Ixil Region, the Ixils sometimes give up their days of work and pay to host, feed, house, and take care of them without expecting anything in return. I have heard these same professionals and academics speak among "ourselves" in ways that suggest that we are entitled in accessing the Ixil Region since we are "helping" them out with our research. This of course is an observation of the overall system and not an attack to the many lawyers who do pro-bono work and those who risk their lives defending human rights and indigenous communities. Recently, graduates from the Ixil University have been accompanying many of the meetings between the ancestral authorities, communities, and the MEM to provide any technical and logistical support needed.

According to many Ixil leaders, there are many youth (almost exclusively male) who refuse to provide community service in the form of *cargos* within their community. Depending on the

community and the different governing structures such as COCODEs or various committees, members are selected on a yearly basis through an *asamblea*, in which people are selected for each position. For example, in San Felipe Chenlá, the *alcalde comunitario* (community mayor) and his accompanying members that include a secretary, are selected in December and they begin their term on January 1st of every year. Among the most important roles that youth are needed in, one is the *cargo* of secretary who writes out *actas*. After one is nominated through a community assembly through consensus, they are contacted and they usually accept or decline. At times, many of these youths say they are not able to accept this position since they are too busy with work, or are considering migrating to Guatemala City or the US, so if they accept their position then they will not be able to fulfill their responsibilities. Many say that they understand the economic needs of youth since they need to find employment to buy land and build a house in order to start a family.

Another reason for the creation of the Ixil University was a need to strengthen, recover, heal, and restore a sense of dignity of being Ixil, *campesino* and their history. According to one of the community leaders, young people today tend to look outside for their future and thus, not appreciating or valuing what they have at home. As mentioned, the civil war severely damaged the social fabric within society. Families were displaced, divided, separated, and destroyed in multiple ways. Some children grew up in broken families, or separated from their communities. Strong links between youth and elders remained tumultuous, and some youth joined gangs after the war leading to delinquency that violated community norms.

Detachment from the community is also rooted in the belief that within urban spaces and cities, there is better education. Teachers I spoke to also expressed similar experiences. A teacher in Nebaj says that he asks his students from Cotzal and Chajul why they are paying and travelling

more to study in Nebaj. Some of their responses are usually something along the lines of, "it's because there is *nothing* in my community" (emphasis mine). This view of their being "nothing" in their community indicates the value that students place in their homes communities since it is the educational system that inculcates us to believe this. The town center of Nebaj is viewed as the most "modern" place within the Ixil Region, which is reinforced by the presence of various commercial businesses, government institutions, NGOs, hotels, and foreign workers and tourists. Instead, the Ixil University decentralizes this power dynamic. Similox states the Ixil University is the only university that looks for students and goes to their communities. As a former facilitator and tutor, I remember walking and travelling for hours to other communities with other students and facilitators in order to have classes. These are lived realities. The students from the Ixil University take days off from work and organize their classes. The Ixil University views itself as *contra-corriente* (against the current) since they are trying to reverse and prevent the damages caused by formal education.

These problems and others led to the creation of the Ixil University. For one year community leaders, ancestral authorities, members of Fundamaya, and youth discussed at multiple meetings about creating an educational space to confront the many problems the Ixil Region was facing. By 2011, the founders had their curriculum set and were able to recruit students to form the first class of the Ixil University.

Researching their own Communities and Histories

The first two years of the program is based on classes that meet twice a month in which a certain topic is discussed such as water rights, agriculture, gender, sacred places, among others, which is accompanied with an assignment that the student must complete before next class. The

students are responsible for organizing and finding a space for the classroom, which can take place in the community center, a school, or another location. The classes are mainly in Ixil, but if there are non-Ixil speakers like K'iche's or visitors from outside the area, then the classes are sometimes conducted in Spanish. The students enrolled in the Ixil University come from various backgrounds. The majority of students work in the fields, many who could not continue their education due to the lack of funds, and a few are currently studying or graduated at another university.

Assignments are based on the students' community and are hands on. For instance, previous assignments included knowing how many natural springs exist in the community, the borders of their community, the different flora and fauna that exist, and the names and purposes of sacred sites in their community. The logic behind these types of assignments is if one is to defend their community, one needs to know everything about their community. It is within this framework in which emphasis and priority is taken away from the outside and shifted to knowing one's own community. Many of these assignments are to be completed with the assistance of community leaders relevant to the topic such as the *alcalde comunitario,* spiritual guides, and family members. This is meant to enhance relationships between youth and students with elders and community leaders. Sometimes there are divisions within the community due to various factors such as family conflict, religion, etc. For example, many evangelicals view spiritual guides and Ixil ceremonies as the devil's work or *brujeria*. Assignments that require contact with spiritual guides help in creating tolerance and communication and improve relationships among different sectors of society.

During their third year in the program, students are required to write a thesis, which they are expected to defend publicly to the Council of Examiners consisted by Ixil University administrators, authorities from the student's respective community, professionals and academics.

The Council of Examiners is meant to ensure transparency, academic rigor, as well as test the oral skills of students. If they are to be community leaders, they need to be able to transmit their ideas to others inside and outside the Ixil Region. The thesis defense is similar to a thesis defense within western educational universities, but the difference is that community leaders, professionals and academics are all involved in determining the quality of one's work. Within academia, it is nearly impossible to have a non-academic to be an official signatory to anyone's thesis. The *vara* (authority staff) is not respected or honored within the Ivory Tower. Upon completion of their defense and approval of their projects, students are then awarded the degree of Technician in Rural Community Development with specialization on Natural Resources. They then have the option of completing a *licenciatura* (similar to a B.A. degree) and work on another final thesis project.

These projects range from their topics to the methods that they employ and are a source of innovation and creativity conducted in a rigorous and careful manner. They explore topics that many outsiders have limited access to. Thesis topics were based on issues such as privatization of water and natural resources, the uses of medicinal plants, violence against women, agricultural practices, international migration to the US, among others. The unique part of these theses is not only analyzing a problem, but also the requirement of developing solutions in collaboration with community leaders to this problem. This encourages the student to think critically and offer solutions to their community.

In total, there have been 33 theses defended and graduates for the first three years of the program. I present three of the theses produced to demonstrate their richness. The first work includes Magdalena Terraza Brito's thesis entitled *Los Efectos de la Guerra desde la Perspectiva de una Niña de la CPR* (2015). To my knowledge, this is the first and only work written about growing up in Communities of the Population in Resistance (CPR), and conducted by someone

who grew up in one. In this very powerful work, Magdalena shares her personal experiences growing up in the CPR during the war when her family was forced to flee the violence by finding refuge in the mountains where the military continued to persecute them. She is also able to tie the violence during the war to the violence occurring today with the arrival of hydroelectric dams, corruption and those who deny genocide. Magdalena's work shows how through the Ixil University, youth and students can share their own stories and histories in their own words as well as making connections between the violence of the war to the current political and social situation. She makes a call for reparations to take place for victims of the war as well as justice for human rights violations that occurred during the war.

Another thesis is Santa Roselia de León Calel's *K'iche's en la Región Ixil* (2014) which explores the arrival of hundreds of K'iche's to the Ixil Region in the early 20th century. Roselia's topic emerges from her personal experience of being a K'iche' who was born and raised in Xolcuay, Chajul, and who felt that K'iche's were continued to be viewed as outsiders even though they have lived in the Ixil Region for over a century. Again, to my knowledge Roselia is the first to research specifically on the K'iche's in the Ixil Region, a significant group that usually gets unmentioned in almost every other academic work on the area. Her work focuses on their arrival, and the relationships between K'iche's and Ixils. Roselia writes:

> Even though we are in Ixil territory, I also want them to have knowledge of everything that emerges within our society and the main thing is the history of our people, the Maya K'iche' since it is a human right to have access to collective memory. Lastly, the motivation for this work is based on my personal life as a K'iche' living in the Ixil Region in the community of Xolcuay in Spanish, Xo'lk'uay in Ixil, and Xo'l k'uja in K'iche', names that mean "between the two caves" (Ibid: 3, translation mine).

The Ixil University is not exclusively for Ixils as there are many K'iche's enrolled, and as Roselia has demonstrated can produce work that recovers history for self-empowerment and that of her community.

The third work includes a thesis by Ku'pe'l (Domingo Daniel Cedillo Cobo) from the community of Xepiun, Nebaj. His thesis, entitled *Clases de Árboles, Sus Usos, y el Manejo Comunitario Forestal en la Aldea Xepiun, Santa María Nebaj, Quiché* (2013), explores the trees and forests in his community. The uniqueness of his thesis is the use of an interdisciplinary approach involving history, biology, stories, and providing local perspectives to deforestation. He finds that there are 52 types of trees in Xepiun and lists them in Ixil along with their uses in the community (for fire, for building, for ceremonies, etc.), how they can be reproduced in the community, the time to plant them, and the amount of time it takes to grow. For example, Pine (Tzaa) is used for its wood for the construction of houses, its leaves for decoration for festivals, and the *ocote* to light fires (Ibid: 8). Ku'pe'l is also able to document the types of trees that have disappeared within the last 30 years due to the arrival of chainsaws, which does not allow for trees to spout or grow after being cut in comparison to a saw or an ax. He finds that many people have also stopped growing trees once they are cut. He explains that traditional and communal forms of forest management have changed and writes:

> Una causa de la deforestación es que hay una falta de tierra para la siembra debido al crecimiento de la población. Mucha gente no tienen suficiente tierra para trabajar y asegurar los cultivos en la comunidad ni la propia seguridad alimentaria. Antes se pensaba que la tierra era para heredar a nuestros hijos, pero hoy mucho no tenemos suficiente tierra para la generación actual. Esta falta de tierra causa que la misma se vuelve una mercancía. Según Pap Xhun de Xepiun, "si no se puede vivir de la tierra, entonces se puede venderla

y el dinero manda. Este da malos resultados para la tierra y para nuestra comunidad" (Ibid: 26).

Ku'pe'l demonstrates through his research that much of this deforestation is due to the lack of land, and how this becomes a precious commodity that begins to influence the way people start to internalize these very capitalist notions. After he presented his thesis, he has used his research and has been active in forestation and agricultural projects in his community and working with other youth.

When reading these works, one gets a deeper and more intimate history of the Ixil Region not usually present in other academic work. One question that someone asked me once was why certain aspects of the Ixil University resemble formal western educational system, such as its name and the requirement of a thesis. First, when deciding on a name, the founders said they did not want their educational system to be viewed as an "*escuelita*" (little school), and that they wanted to show their standards were on par with other universities. Second, decolonization does not happen from night to day. To visualize this, a student explained using an analogy and said that much of their land uses fertilizers and other chemicals to cultivate their crops. These chemicals are bad for the earth where they grow and exhausting the land. While some are switching to organic fertilizers since they are healthier and natural, to do so from one day to another would be disastrous in growing agricultural products. Instead, it's *poco a poco*, little by little. You slowly mix organic and chemical fertilizers together until you eventually phase out the chemical, which takes time. No one said decolonization was easy, nor is it a fast process in comparison to 500 years of colonization and invasions.

The Politics of Recognition

The Ixil University enjoys legitimacy as an institution by the ancestral authorities of the Ixil Region. They were involved in its creation, and continue to play an active part in assisting students with their works. In addition, the Ixil University has been able to sign both national and international *convenios* with various universities such as San Carlos University, University of Torino, Nicaraguan Evangelical University-Martin Luther King, and Misak University in Colombia, as well as collaborating with others such as the University of Texas at Austin. These agreements are a form of mutual recognition between educational institutions and producers of knowledge.

The Ixil University through its example has inspired many to create their own community universities. Each university focuses on their own local, community and regional needs given their own historical oppression and social contexts. Similox, who along as his position of Rector of the Ixil University, was inspired to create the Kaqchikel University along with other Kaqchikels that included academics and community activists. Their curriculum was developed in a similar fashion, in which through dialogue, the founding members discussed the problems that the Kaqchikel community has confronted. According to Similox, historically, the Kaqchikels have been colonized differently than other groups since their communities are surrounded by centers of state and colonial power. One of their goals and objectives is language revitalization since more than half of Kaqchikels do not speak Kaqchikel. In addition, in comparison to the Ixil University, the majority of their students are professionals and some university graduates. Their struggles and needs are distinct and different than the Ixils, and each university must identify their own objectives.

Some teachers, students and others not associated with the Ixil University criticize it and say that it is not "real" since their degrees are not recognized by the state, and that they do not have infrastructure. In an interview in 2014, the municipal mayor of Cotzal stated that the Ixil University is illegitimate and criticized its teachings. Many students in the Ixil University say that at times students drop out since they are ridiculed within their community who view it as a waste of time. One student from Nebaj says that teachers within the community openly spoke against the Ixil University. In other instances, the Ixil University is called the "university of the guerrillas" in an effort to delegitimize and discriminate against them. Students have said that when they speak on issues of land, territory, megaprojects and indigenous rights, they are discriminated against by some members of the community. Other critics state that learning about Ixil history and cultures is a step backwards and that we now live in a "modern" world that needs a "modern" educational model.

The Ixil Region continues to be plagued by internal divisions rooted in the civil armed conflict. While the founders of the Ixil University did consist of former guerrillas, it also comprised of an ex-patrolman, youth, non-Ixils, among others from Chajul, Cotzal and Nebaj. Thus, it was not just one sector that founded the Ixil University, but rather an Ixil-Maya project. To attempt to discredit them is a form of epistemic violence that tries to undermine Ixil knowledge production. At the face of these external pressures to stop attending the Ixil University, students believe and are committed to the goals and the educational and intellectual tools that they are receiving and contributing to. That figures such as the municipal mayor of Cotzal and teachers criticize the Ixil University demonstrates the on-the ground challenges that students, facilitators and administration faces.

The success of the Ixil University can be measured by the youth who have become actively involved in their communities and social movements. As mentioned in previous chapters, the CC has ruled in favor of the ancestral authorities regarding the right to consultation in various cases involving electrical towers and dams. Graduates from the Ixil University have been accompanying many of the meetings between the ancestral authorities, communities, and MEM to provide any technical and logistical support needed. Others have increasingly become involved in their communities as young leaders. Those who learned and recovered medicinal plants are now practicing these knowledges and some community members seek their help when they become ill. Others are actively reforesting, diversifying their crops, and becoming more aware of the ill effects of megaprojects, the use of chemical fertilizers and consumerism. The Ixil University in many of these cases is fulfilling the need to prepare students to recover their history and practices, and apply it to their realities for the betterment of their communities.

Conclusions

The Ixil University serves as an example of rethinking education that seeks to empower communities and moves away from the Ivory Tower's extractive colonial nature that centralizes and appropriates knowledges that unapologetically continues to privilege western thinking, history, culture and its agents. Indigenous peoples and marginalized groups are often coopted by a repressive academic system that detaches us from our communities; some of us have forgotten our roots in our pursuit of achieving educational success. Those in the Ivory Tower are taught to believe that the more education we have, the more social upward mobility and *individual* economic success we are supposed to enjoy. The Ixil University challenges us through their example to reexamine our purpose as an educational system and our role as researchers and educators.

That the Ixil University has had success in operating since 2011 in promoting and recovering ancestral and community knowledges among youth without "official" recognition from the state is a testament to the power that indigenous peoples hold and practice on a daily basis. Despite the fact that this very chapter is a written work about the Ixil University, their experiences and lived realities are not limited to jargoned words about liberation, freedom and decolonization. They are recreating and reimagining what knowledge should look like and what purposes they should serve.

CONCLUSIONS

I heard loud yells coming from inside a room in a house on a clear, calm, starry night. I thought it was a baby crying. Instead, it turned out it was a young woman dying. To this day, I can still hear her screams of pain and agony ringing in my ears. She was visiting her family in a community in Cotzal from another part of Guatemala and when she arrived she began to suffer from stomach pain. For the next few days after her arrival, she went to the health center in the town center, and they gave her pills to relieve the pain and recommended that she rest. This type of treatment were band-aids and not a cure for a more severe systematic problem, literally a deadly one. This treatment did not resolve the problem, and it simply served to ignore the patient. The pain would return and become more severe. The screams continued to break the silence of that otherwise peaceful night.

The family desperate and out of options, decided to take her to neighboring Nebaj to the nearest hospital since Cotzal does not have one. A family member called the ambulance of Cotzal. They said they did not have any gas. The family offered to buy some. They said they have not received any pay for their work. The family offered to pay them. The ambulance drivers still refused and said they could not take the patient to Nebaj without providing any more reasons. The family called someone from their community with a car to take her to the hospital, which is an hour away. The pain in her stomach grew. Her appendix broke as they entered the hospital. The doctor said that if they did not arrive at that exact moment, she would have died.

Had the above incident occurred in another community in Cotzal where there was not a main road, she would have died. Had there been proper medical attention at the underfunded and underequipped health center, this could have been prevented. If the state would pay for gas and salaries to its workers, maybe there would be a willing and able staff and ambulance to do their

jobs. There are many who say that the "system is broken", but I believe that it is working perfectly. This example is representative of a deadly system, one that the Ixils are trying to change because their lives literally depend on it.

The Ixils of Cotzal are an example of an ancestral rebellion against a colonial genocidal system that oppresses indigenous bodies and spirits. In this dissertation, I examined this historical resistance during the Four Invasions. In every invasion, whether it was during colonial rule, dictatorships, or democratic governments, the Ixil Region suffered the extraction and commodification of their natural resources and territories, often times in the name of civilization and development.

In Chapter 1, I traced the various colonial and repressive institutions that marginalized the Ixils during the Four Invasions. While outsiders and foreigners benefited from the displacement of the Ixils from their ancestral lands, their labor, and the extraction of natural resources, the Ixils resisted in multiple ways ranging from open rebellion to everyday forms of resistance. This included open rebellion as in the case of Nebaj in the 18th century and again in the 1930s that led to the imprisonment and death of *Principales*, to not paying tribute and fleeing into the mountains, the 1623 *convenio antiguo* written in Ixil, the use of the 1952 Agrarian Reform to expropriate fincas, and joining the revolutionary movement during the civil war. Many Ixils became appropriated and became agents of these colonial institutions, and foreigners and outsiders depended on these social divisions to pursue their interests and agendas.

In Chapter 2 and 3, I analyze how the legacies of these previous invasions have shaped social movements in the new or Fourth Invasion. Through this historical approach and the use of a case study of Cotzal, I have been able to demonstrate that the arrival of megaprojects is a continuation of a colonial logic of extraction that thrives on racist and colonial institutions, often

at the expense of Ixil labor, suffering and lives. Companies like Enel use the discourses of development, capitalistic desires and promises of enhancing the living conditions of local communities to justify their presence. But as we saw in Cotzal, Enel benefited from a "post-war" and violent environment in which the municipality persecuted protestors. When the then-municipal mayor became a fugitive, the Guatemalan government and military became involved as well as the company taking a more aggressive stance by legally persecuting nine leaders. After starting dialogue and recognizing protestors and the ancestral authorities' legitimacy, the company bought time to finish constructing the dam and then entered into a new deal with a new municipal mayor. The company won the battle, but the Ixils continue to organize and struggle.

This historical analysis ends with the CC Resolution that favored the communities of Cotzal and who are now in a position to begin dialogue with Transnova since they violated their rights to consultation. This history is currently taking place at the time of this writing, and is an extension in the ways in which the Ixils have used legal mechanisms for their struggle. The use of legal systems and mechanisms is part of a larger legal resistance that includes the Ixils use of laws and courts in cases presented in Chapter 1 that include tribute, the arrival of *finqueros*, agrarian reform, and the genocide trial. With legal channels and mechanisms such as courts and FPIC, there seems to be at least legal options to openly challenge the operations of megaprojects. Yet, these can also serve as a trap since FPIC/consultation does not enjoy veto power. A company and/or the state can consult a community before a megaproject is built, and if every member of the community rejects the proposed project, the former could technically say they conducted FPIC/consultation and continue on with the project. It thus becomes nothing more than an item on a large checklist. Future research will need to trace the outcomes of the use of courts to challenge the construction of hydroelectric dams and electrical towers.

Chapters 4 and 5 explored the *tichajil* around the problems surrounding historical migration and displacement, and the educational system through the Ixil University. Systematic displacement and migration demonstrated the ways in which Ixil labor and bodies have been commodified, as well as being rooted in land inequality and land grabs. These two cases serve to explore how the Ixils are recovering and promoting *tichajil* as a means in creating dignity and empowering youth, as well as challenging the promises of development and education of what it means to live a good life.

The discourses of megaprojects surrounding development, are supported (directly or indirectly) by other extractivist industries and foreign entities such as academics, NGOs, churches, and others that have the goals of promoting education, salvation, and modernity. Megaprojects appeal to the white/western savior mentality and liberal guilt that has called for green energy, fair trade, and Corporate Social Responsibility. Companies like Enel have been successful in portraying themselves as environmentally friendly and supporting educational programs and women's participation in their community such as that of the two "grandmothers" who travelled to India to attend Barefoot College in order to learn how to install solar panels. While many of these programs may be well meaning and sound great on paper, they serve to mask the local problems and daily realities that communities face. Again, this is not to say that promoting initiatives such as green energy is bad, but rather comparing what is said in discourse and what is being undertaken at the ground level and in reality.

Chapter 5 explored the ways in which western educational and state sponsored institutions hold a near monopoly over knowledge production in the Ixil Region. People are taught to believe that without a degree or physical title, one does not hold "legitimate" knowledge. The Ixil

University demonstrates the ways in which the Ixil have confronted repressive educational systems, which generates individualism and for-profit mindsets.

Academia is an extractivist industry, and as its agents we benefit from a system of epistemic violence and a hierarchy of knowledge. This becomes obvious when elders and leaders call me with respectful and prestigious titles such as "*licenciado*" or "*don*" due to my educational level, even though I am a "*patojo*". As agents of academia and anthropology, we represent the system of oppressors. We are traditional intellectuals that maintain a repressive system. After all, there are many reasons why anthropologists and researchers are viewed in a negative way by many indigenous peoples at a global level. As mentioned in Chapter 5, the Ixil would constantly say that academics and outsiders "*solo sacan información y nunca regresan*". Anthropologists tend to over study and romanticize marginalized indigenous communities, the poor, social movements, and make careers out of these research projects without returning and sharing their work. In writing about the struggle against Palo Viejo and the Ixil University, I run the risk of appropriating their work as opposed to supporting their decolonial efforts. Whether or not my work will contribute in any way to the struggle against the inequalities that megaprojects produce will depend on the actions I take outside of these pages and the Ivory Tower. With megaprojects and other companies such as Monsanto invading indigenous communities and threatening their livelihoods, culture and lives, we need to further reflect on who we are as academics, and our roles, if any, in social movements. Is decolonizing anthropology/academia even possible or achievable? How can academics support decolonial, local and indigenous based initiatives and spaces such as the Ixil University without "contaminating" their goals and project?

Today, the ancestral rebellion and resistance of the Ixil will continue to shape the Ixil Region's history of invasion, and companies such as Enel will continue to arrive and operate on a

daily basis. Many in Guatemala say that we are currently living in Xib'alb'a, the dark Maya underworld described in the Popol Vuh, a Maya creation story. After 500 years of invasion, the Ixils are still fighting to get out of Xib'alb'a. They are resisting because their lives, their existence as a people, and the legacies of their ancestors depend on it.

BIBLIOGRAPHY

Archival Sources

Archivo General de Centro América (AGCA). Guatemala City, Guatemala.

Archivo Histórico de la Policía Nacional (AHPN). Guatemala City, Guatemala.

Segundo Registro de la Propiedad (SRP). Quetzaltenango, Guatemala.

Books Articles and Other Sources

Abu-Lughod, Lila. 1990. "The Romance of Resistance: Tracing Transformations of Power through Bedouin Women." *American Ethnologist* 17(1): 41-55.

Aguirre, J. A. 2005. "The Personal Narrative as Academic Storytelling: a Chicano's Search for Presence and Voice in Academe." *International Journal of Qualitative Studies in Education* 18(2): 147-163.

Alvarado, Karina O., Alicia Ivonne Estrada, Ester E. Hernández, eds. 2017. *U.S. Central Americans: Reconstructing Memories, Struggles, and Communities of Resistance*. Tucson, Arizona: The University of Arizona Press.

Amnesty International. 2010. "Widespread Abuse against Migrants is Mexican 'Human Rights Crisis.'" April 28. Accessed April 1, 2017. https://www.amnesty.org/en/press-releases/2010/04/widespread-abuse-against-migrants-mexican-e28098human-rights-crisise28099/.

Arias, Arturo, ed. 2001. *The Rigoberta Menchú Controversy*. Minneapolis: University of Minnesota Press.

———. 2010. "The Ghosts of the Past, Human Dignity, and the Collective Need for Reparation." *Latin American and Caribbean Ethnic Studies* 5(2): 207-218.

Arias, Arturo and Claudia Milian. 2013. "US Central Americans: Representations, Agency and Communities." *Latino Studies* 11(2): 131–149.

Asamblea Nacional Constituyente. 1951. *Diario de Sesiones de la Comision de los Quince Encargada de Elaborar el Proyecto de la Constitucion de la Republica*. Guatemala: Tipografia Nacional.

Asociación de la Mujer Maya Ixil. 2000. *Voces e Imágenes: Mujeres Maya Ixiles de Chajul / Voices and Images: Mayan Ixil Women of Chajul*. Chajul, Guatemala: Asociación de la Mujer Maya Ixil.

Asociación para la Justicia y Reconciliación, Centro para la Acción Legal en Derechos Humanos. 2014. *Sentencia por Genocidio y Delitos contra los Deberes de Humanidad contra el Pueblo Maya Ixil: Guatemala, 10 de mayo 2013*. Guatemala: Editorial Serviprensa.

Autoridades de la Comunidad San Felipe Chenlá. 2012. "Letter to Municipal Mayor Baltazar Cruz Torres and Municipal Council of Cotzal". May 7. Cotzal, Guatemala.

Baronnet, Bruno, Mariana Mora Bayo and Richard Stahler-Sholk, eds. 2011. *Luchas "Muy Otras": Zapatismo y Autonomía en las Comunidades Indígenas de Chiapas.* México: Centro de Investigaciones y Estudios Superiores en Antropología Social.

Barrios, Lina. 2001. *Tras las Huellas del Poder Local: La Alcaldía Indígena en Guatemala del Siglo XVI al Siglo XX*. Guatemala: Universidad Rafael Landívar, Instituto de Investigaciones Económicas y Sociales.

"Bases para el Proceso de Dialogo entre la Empresa Enel y las Comunidades de San Juan Cotzal". 2011. May 2. Cotzal, Guatemala.

Batz, Giovanni. 2014. "Maya Cultural Resistance in Los Angeles: The Recovery of Identity and Culture among Maya Youth." *Latin American Perspectives* 41(3): 194-207.

Becquelin, Pierre, Alain Breton, and Véronique Gervais. 2001. *Arqueología de la Regíon de Nebaj, Guatemala*. *Cuadernos de Estudios Guatemaltecos* (Vol. 5). Mexico and Guatemala: Centro Francès de Estudios Mexicanos y Centroamericanos, Escuela de Historia USAC, Ministerio de Asuntos Exteriores de Francia (CCCAC).

Biden, Joseph. 2015. "A Plan for Central America." *New York Times*, January 29. Accessed March 10, 2015. http://www.nytimes.com/2015/01/30/opinion/joe-biden-a-plan-for-central-america.html?_r=0.

Blaser, Mario, and Ravi de Costa, Deborah McGregor, and William D. Coleman, eds. 2010. *Indigenous peoples and Autonomy: Insights for a Global Age*. Vancouver: UBC Press.

Boj Lopez, Floridalma. 2017. "Weavings that Rupture: The Possibility of Contesting Settler Colonialism through Cultural Retention among the Maya Diaspora." In *U.S. Central Americans: Reconstructing Memories, Struggles, and Communities of Resistance*, edited by Karina O. Alvarado, Alicia Ivonne Estrada and Ester E. Hernández, 188-203. Tucson, Arizona: The University of Arizona Press.

Botón, Santiago. 2015. "Guatemala: Se levanta Universidad Ixil, sobre cenizas de la represión militar." *Telesur*, March 9, 2015. Accessed April 16, 2017. http://www.telesurtv.net/opinion/Guatemala-Se-levanta-Universidad-Ixil-sobre-cenizas-de-la-represion-militar-20150309-0050.html

Brett, Roderick Leslie. 2007. *Una Guerra sin Batallas: Del Odio, la Violencia y el Miedo en el*

Ixcán y el Ixil, 1972-1983. Guatemala: F & G Editores.

Bufete Juridico de Derechos Humanos. 2017. "Caso Cotzal." Accessed February 9. http://bdh.org.gt/index.php?id=caso-cotzal.

Burkitt, Robert. 1930. "Explorations in the Highlands of Western Guatemala." *Museum Journal*. 21(1): 41-76.

Burns, Allan F. 1993. *Maya in Exile: Guatemalans in Florida*. Philadelphia: Temple University.

Caba, Engracia Reyna. 2001. *Kal B'op: Relato Testimonial*. Guatemala: Comisión de Asuntos Políticos de la Mujer de Unidad Revolucionaria Nacional Guatemalteca.

Cabrera, G. and M. Meléndez. 2016. "Enrique Brol Finaliza Decimo en el Doble Foso." *Prensa Libre*. August 10. Accessed February 9, 2017. http://www.prensalibre.com/deportes/juegos-olimpicos-2016/los-hermanos-hebert-y-enrique-brol-estan-en-competencia.

Canal Antigua. 2015. "Pobladores de Chajul, Quiché Exigen que se Repitan las Elecciones." October 21. Accessed April 1, 2017. https://canalantigua.tv/pobladores-de-chajul-quiche-exigen-que-se-repitan-las-elecciones/.

Carey, David. 2001. *Our Elders Teach Us: Maya-Kaqchikel Historical Perspectives*. Tuscaloosa: University of Alabama Press.

———. 2006. *Engendering Mayan History: Kaqchikel Women as Agents and Conduits of the Past, 1875-1970*. New York: Routledge.

Carmack, Robert. 1998. *Harvest of Violence: The Maya Indians and the Guatemalan Crisis*. Norman: University of Oklahoma Press.

Carter, Angela C. 2015. "Teaching with Trauma: Trigger Warnings, Feminism, and Disability Pedagogy". *Disability Studies Quarterly* 35(2).

Castro-Gómez, Santiago and Ramón Grosfoguel, eds. 2007. *El Giro Decolonial: Reflexiones para una Diversidad Epistémica más allá del Capitalismo Global*. Bogotá: Siglo del Hombre Editores, Universidad Central, Instituto de Estudios

Central Intelligence Agency. 2002 [1982]. "Guatemalan Army Conducts Sweep through Ixil Region." In *National Security Archive Death Squads, Guerrilla War, Covert Operations and Genocide: Guatemala and the United States, 1954-1999*, #00767, [microfiche].

Ceto, Pablo. 2011. "Rebelión Indígena, Lucha Campesina y Movimiento Revolucionario Guerrillero: Reflexiones y Testimonio."In *Guatemala, la Infinita Historia de las Resistencias*, edited by Manolo E. Vela Castañeda, 229-241. Guatemala: Magna Terra Editores.

Chavarría Flores, Manuel. 1952. *Analfabetismo en Guatemala: Informe de Seis Años*. Guatemala: Universidad de San Carlos.

Chinchilla, Norma Stoltz and Nora Hamilton. 2001. *Seeking Community in a Global City: Guatemalans and Salvadorans in Los Angeles*. Philadelphia: Temple University.

Colby, Benjamin. 1976. "The Anomalous Ixil—Bypassed by the Postclassic?" *American Antiquity* 41(1): 74-80.

Colby, Benjamin y Pierre L. van den Berghe. 1977. *Ixiles y Ladinos: El Pluralismo Social en el Altiplano de Guatemala*. Translated by Gloria Li y Fernando Cruz. Guatemala: Editorial José de Pineda Ibarra, Ministerio de Educación.

Collins, P. H. 1991. *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. New York: Routledge.

Comisión para el Esclarecimiento Histórico (CEH). 1999. *Comisión para el Esclarecimiento Histórico. Guatemala: Memoria del Silencio*. Guatemala: CEH.

Consejo Municipal de Desarrollo del Municipio de Chajul. 2010. *Plan de desarrollo Chajul*. Guatemala: SEGEPLAN/DPT.

Consejo Municipal de Desarrollo del Municipio de Nebaj. 2010. *Plan de desarrollo Municipal PDM del Municipio de Nebaj, Quiché*. Guatemala: SEGEPLAN.

Consejo Municipal de Desarrollo del Municipio de San Juan Cotzal. 2010. Plan de Desarrollo, San Juan Cotzal, Quiché. Guatemala: SEGEPLAN/DPT.

Contreras, Geovanni and Hugo Alvarado. 2015. "Red de defraudación controlaba operaciones de la SAT." *Prensa Libre*, April 16, 2015. Accessed April 1, 2017. http://www.prensalibre.com/guatemala/justicia/red-de-defraudacion-controlaba-operaciones-de-la-sat.

Corte de Constitucionalidad, República de Guatemala. 2015a. Expediente 156-2013 Of. 8. Ref: 60-2012. Acumulados: 159-2013. Guatemala.

———. 2015b. Expediente 1149-2012 Of. 3. Ref: 953-2011. Guatemala.

———. 2015c. Expediente 4957-2012 Of. 7. Ref: 1906-2011. Acumulados: 4958-2012. Guatemala.

Cortés y Larraz, Pedro. 2001. *Descripción Geográfico-Moral de la Diócesis de Goathemala*. Madrid: Consejo Superior de Investigaciones Científicas.

Cuyuch Martínez, Marta Rossibell. 2010. *Administracion de Riesgo, Municipio de San Juan*

Cotzal, Departamento de Quiché. Guatemala: Facultad de Ciencias Económicas, Universidad de San Carlos de Guatemala.

De León Calel, Santa Roselia. 2014. *K'iche's en la Región Ixil*. Guatemala: Ixil University.

Deloria, Vine. 1969. *Custer died for your sins: an Indian manifesto*. New York: Macmillan Company.

Dougherty, Michael. 2011. "The Global Gold Mining Industry, Junior Firms, and Civil Society Resistance in Guatemala." *Bulletin of Latin American Research* 30(4): 403-418.

Dunn, Alvis E. 1995. "A Cry at Daybreak: Death, Disease, and Defence of Community in a Highland Ixil-Mayan Village". *Ethnohistory* 42(4): 595-606.

Durocher, Bettina. 2002. *Los dos Derechos de la Tierra: la Cuestión Agraria en el País Ixil.* Guatemala: Facultad Latinoamericana de Ciencias Sociales, Guatemala.

Elliott, Elaine D. 1989. "A History of Land Tenure in the Ixil Triangle." Unpublished Paper.

———. 1998. *Gaspar Ilom: Maya Resistance to the Western Ideology of Nature*. Master's Thesis. University of San Diego, California.

Emisoras Unidas. 2013. "Exalcalde Enfrenta Segundo Debate por Retención Ilegal de un Militar." February 27, 2013. Accessed February 9, 2017. https://emisorasunidas.com/noticias/nacionales/exalcalde-enfrenta-segundo-debate-retencion-ilegal-militar/.

Enel Green Power. 2010. "Report and Financial Statements of Enel Green Power SpA at December 31, 2010." Accessed November, 26, 2011. http://www.enelgreenpower.com/en-GB/doc/media_investor/reports/2010/Enel_Green_Power_SpA_Financial_Statements_20 10.pdf.

———. 2012. "Enel Green Power: Palo Viejo Power Plant in Guatemala Becomes Operational." March 15. Accessed April 29, 2017. https://www.enelgreenpower.com/en/media/press/d201203-enel-green-power-palo-viejo-power-plant-in-guatemala-becomes-operational.html.

———. 2014a. "Cooperation Agreement between the San Juan Cotzal Municipality and Enel Green Power Guatemala: A year later." Accessed August 21, 2014. http://www.enelgreenpower.com/it-IT/doc/sustainability/FILE_A_Cooperation_Agreement_EGP_Guate_SJCMunicipality.pdf.

———. 2014b. *Sustainability Report 2013*. Accessed April 30, 2017. https://www.enel.com/content/dam/enel-com/governance_pdf/reports/annual-financial-report/2013/Enel_Sustainability_Report_2013.pdf.

———. 2016a. “Guatemala. Construction of the Palo Viejo Hydropower Plant.” Accessed March, 2016. https://www.enelgreenpower.com/en-GB/doc/ela/construction_paloviejo.pdf.

———. 2016b. “Convenio de Cooperación entre Municipalidad de San Juan Cotzal y Enel Green PowerGuatemala: Un Año Después”. Accessed March 16, 2016. https://www.enelgreenpower.com/es-ES/doc/sustainability/FILE_B_Convenio_de_Cooperacion_FINAL__Impresa.pdf.

Figueroa, Óscar. 2011. “En peligro tres mil empleos por pugna.” *Prensa Libre*, February 2, 2011. Accessed November 22, 2011. http://www.prensalibre.com/noticias/peligro-mil-empleos-pugna_0_419958039.html.

———. 2013. “Universidad Ixil forma nuevos líderes.” *Prensa Libre*, November 23, 2013. Accessed April 16, 2017. http://www.prensalibre.com/quiche/Universidad-Ixil-forma-nuevos-lideres_0_1034896520.html

———. 2015 “Pobladores Rechazan Reelección de Alcalde de Chajul.” *Prensa Libre*, September 21, 2015. Accessed April 1, 2017. http://www.prensalibre.com/guatemala/quiche/continua-rechazo-por-reeleccion-de-alcalde-de-chajul.

Fischer, Edward. F and R. McKenna Brown, eds. 1996. *Maya Cultural Activism in Guatemala*. Austin: University of Texas.

Flores, Alejandro. 2015. “La guerra no pudo con la esperanza.” *Plaza Pública*, January 15, 2015. Accessed April 16, 2017. https://www.plazapublica.com.gt/content/la-guerra-no-pudo-con-la-esperanza

Forster, Cindy. 2001. *The Time of Freedom: Campesino Workers in Guatemala's October Revolution*. Pittsburgh: University of Pittsburgh Press.

Foxen, Patricia. 2007. *In Search of Providence: Transnational Mayan Identities*. Nashville: Vanderbilt University Press.

Freire, Paulo. 2002. *Pedagogy of the Oppressed. Translated by Myra Bergman Ramos. 30th anniversary edition*. New York: Continuum.

Fundación Guillermo Toriello. 2010. *Los Bienes Naturales en Territorio Ixil y su Defensa*. Guatemala: Fundación Guillermo Toriello.

Galeano, Eduardo. 1969. *Guatemala: Occupied Country*. Translated by Cedric Belfrage. New York: Monthly Review Press.

Garrard-Burnett, Virginia. 2010. *Terror in the land of the Holy Spirit : Guatemala under General Efraín Ríos Montt, 1982-1983.* Oxford/New York: Oxford University Press.

Gleijeses, Piero. 1991. *Shattered Hope: The Guatemalan Revolution and the United States, 1944-1954*. Princeton: Princeton University Press.

Gobierno de Guatemala. 2011. "Presidente Colom llama a denunciar a terroristas en Quiché." February 3. Accessed November 26, 2011. http://www.guatemala.gob.gt/noticia4.php?codigo=11328&titulo2= Nacionales.

Goldberg, Eleanor. 2014. "80% Of Central American Women, Girls Are Raped Crossing Into The U.S." *The Huffington Post*. September 12. Accessed Oct. 17, 2016. http://www.huffingtonpost.com/2014/09/12/central-america-migrants-rape_n_5806972.html.

Gómez, Jeniffer. 2015. "Una Historia Dorada." *Prensa Libre*, Julio 16. Accessed April 1, 2017. http://www.prensalibre.com/deportes/deporte-nacional/una-historia-dorada.

Grajeda Godínez, Ana Lucía. 2010. "Revisión Técnica al Estudio de Evaluación de Impacto Ambiental: Hidroeléctrica Palo Viejo, Finca San Francisco, San Juan Cotzal, Quiché." Guatemala: Coordinadora Nacional de Viudas de Guatemala.

Guzaro, Tomás and Terri Jacob McComb. 2010. *Escaping the Fire: how an Ixil Mayan pastor led his people out of a holocaust during the Guatemalan.* Austin: University of Texas Press.

Hale, Charles R. 2006. "Activist Research v. Cultural Critique: Indigenous Land Rights and the Contradictions of Politically Engaged Anthropology." *Cultural Anthropology* 21(1): 96–120.

———. 2008. *Engaging contradictions: theory, politics, and methods of activist scholarship*. Berkeley: University of California Press.

Handy, Jim. 1994. *Revolution in the Countryside: Rural Conflict and Agrarian Reform in Guatemala, 1944-1954*. Chapel Hill: University of North Carolina.

Harrison, F. V. 1991. *Decolonizing Anthropology: Moving further toward an Anthropology for Liberation*. Washington, D.C.: American Anthropological Association.

Hernandez Alarcon, Rosalinda, et al. 2008. Memorias rebeldes contra el olvido = Paasantzila txumb'al ti' sotzeb' al k'u'l. Guatemala: AVANCSO, Asociación para el Avance de las Ciencias Sociales en Guatemala.

Hernández, Oswaldo J. 2013a. "Acuerdos y desacuerdos sobre Palo Viejo." *Plaza Publica*, March 16. Accessed March 16, 2016.https://www.plazapublica.com.gt/content/acuerdos-y-desacuerdos-sobre-palo-viejo.

———. 2013b "Acul y Tzalbal, el Despojo de los Gobiernos Militares." *Plaza Publica*, June 17.

Accessed March 16, 2016. http://www.plazapublica.com.gt/content/acul-y-tzalbal-el-despojo-de-los-gobiernos-militares.

Hill, Cristina and Serena Lillywhite and Michael Simon. 2010. *Guide to Free Prior and Informed Consent*. Victoria, Australia: Oxfam Australia. Accessed November 27, 2010. http://www.oxfam.org.au/resources/filestore/originals/OAUs-GuideToFreePriorInformedConsent-0610.pdf.

Immerman, Richard H. 1982. *The CIA in Guatemala: The Foreign Policy of Intervention*. Austin: University of Texas Press.

Instituto Indígenista Nacional. 1948a. *Parramos: Sintesis Socio-Economica de una Comunidad Indígena Guatemalteca*. Guatemala: Ministerio de Educación Publica.

———. 1948b. *Santa Catarina Barahona: Sintesis Socio-Economica de una Comunidad Indígena Guatemalteca*. Guatemala: Ministerio de Educacion Publica.

———. 1948c. *San Juan Sacatepequez: Sintesis Socio-Economica de una Comunidad Indígena Guatemalteca*. Guatemala: Ministerio de Educación Publica.

Jaula de Oro. 2014. Dir. Diego Quemada-Diez. Cameo Media. DVD.

Johnson, Jeh Charles. 2016. "United States Border Patrol Southwest Family Unit Subject and Unaccompanied Alien Children Apprehensions Fiscal Year 2016: Statement by Secretary Johnson on Southwest Border Security". *United States Homeland Security, United States Customs and Border Protection.* Accessed October 20, 2016. https://www.cbp.gov/newsroom/stats/southwest-border-unaccompanied-children/fy-2016.

Jonas, Susanne. 1991. *The Battle for Guatemala: Rebels, Death Squads and U.S. Power*. Boulder, Colorado: Westview Press.

Jonas, Susanne and Nestor Rodriguez. 2014. *Guatemala-U.S. Migration: Transforming Regions*. Austin: University of Texas Press.

Kaltschmitt, Alfred. 2011. "Cosecha Insana." *Prensa Libre*, February 4, 2011. Accessed November 26, 2011. http://www.prensalibre.com/opinion/Cosecha-insana_0_421157969.html.

Kaufman, Rachel. 2012. "Exclusive Pictures: Maya Murals Found in Family Kitchen." *National Geographic*, September 8. Accessed March 1, 2017. http://news.nationalgeographic.com/news/2012/09/pictures/120905-maya-murals-found-kitchen-science-mayan/

Krogstad, Jens Manuel, Ana Gonzalez-Barrera and Mark Hugo Lopez. 2014. "At the Border, a

Sharp Rise in Unaccompanied Girls Fleeing Honduras". *Pew Research Center*, July 25. Accessed Oct. 18, 2016 from http://www.pewresearch.org/fact-tank/2014/07/25/at-the-border-a-sharp-rise-in-unaccompanied-girls-fleeing-honduras/.

Ku'pe'l (Domingo Daniel Cedillo Cobo). 2013. *Clases de Árboles, Sus Usos, y el Manejo Comunitario Forestal en la Aldea Xepiun, Santa María Nebaj, Quiché*. Guatemala: Ixil University.

Lincoln, Jackson Steward. 1942. *The Maya Calendar of the Ixil of Guatemala*. Washington, Carnegie Institution.

———. 1945. *An Ethnological Study on the Ixil Indians of the Guatemala Highlands*. Chicago: University of Chicago.

Loucky, James. 2000. "Maya in a Modern Metropolis: Establishing New Lives and Livelihoods in Los Angeles." In *The Maya Diaspora: Guatemalan Roots, New American Lives*, edited by James Loucky and Marilyn M. Moors, 214–222. Philadelphia: Temple University Press.

Loucky, James and Marilyn M. Moors, eds. 2000. *The Maya Diaspora: Guatemalan Roots, New American Lives*. Philadelphia: Temple University Press.

Lovell, W. George. 1990. "Maya Survival in Ixil Country, Guatemala." *Cultural Survival Quarterly* 14:4: 10-2.

———. 1992. *Conquest and Survival in Colonial Guatemala: A Historical Geography of the Cuchumatán Highlands*. Buffalo: McGill-Queen's University Press.

Lugones, Maria. 2010. "The Coloniality of Gender." In *Globalization and the Decolonial Option*, edited by Walter D. Mignolo and Arturo Escobar, 369-390. London: Routledge.

Mallon, Florencia E., ed. 2012. *Decolonizing Native Histories: Collaboration, Knowledge, and Language in the Americas*. Durham: Duke University Press.

Manz, Beatriz. 1988. *Refugees of a Hidden War: The Aftermath of Counterinsurgency in Guatemala*. Albany: State University of New York Press.

———. 2004. *Paradise in Ashes: A Guatemalan Journey of Courage, Terror and Hope*. Berkeley: University of California Press.

Menchú, Rigoberta. 1984. *I, Rigoberta Menchú: An Indian Woman in Guatemala*. Edited by Elisabeth Burgos-Debray. London: Verso.

Ministerio de Energía y Minas, Gobierno de la República de Guatemala (MEM). 2017.

"Autorizaciones de Centrales Hidroeléctricas Otorgadas y en Trámite". Last modified April 18, 2017. Accessed April 28, 2017. http://www.mem.gob.gt/wp-content/uploads/2015/06/1._-Listado-de-Hidroeléctricas-Mayores-a-5-MW.pdf.

———. 2017b. "Autorizaciones Temporales para la Instalación de Centrales Hidroeléctricas." Last modified January 12, 2017. Accessed February 8, 2017. http://www.mem.gob.gt/wp-content/uploads/2015/06/Autorizaciones-Temporales-Hidroeléctricas2.pdf.

Misión de Verificación de las Naciones Unidas en Guatemala. 2002. *Los Linchamientos: Un Flagelo que Persiste*. Guatemala: Misión de Verificación de las Naciones Unidas en Guatemala.

Molina, Werner. 2014. Personal Email. December 10.

Montejo, Victor. 1987. *Testimony: Death of a Guatemalan Village*. Willimantic, Connecticut: Curbstone.

———. 1999. *Voices from Exile: Violence and Survival in Modern Maya History*. Norman: University of Oklahoma Press.

———. 2002. *The adventures of Mr. Puttison among the Maya.* Rancho Palos Verdes, California: Yax Te' Foundation.

———. 2005. *Maya Intellectual Renaissance*. Austin: University of Texas Press.

Moraña, Mabel, Enrique Dussel, and Carlos A. Jáuregui, eds. 2008. *Coloniality at Large: Latin America and the Postcolonial Debate*. Durham: Duke University Press.

Nazario, Sonia. 2007. *Enrique's Journey: The Story of a Boy's Dangerous Odyssey to Reunite with His Mother*. New York: Random House.

Niezen, Ronald. 2003. *The Origins of Indigenism: Human Rights and the Politics of Identity*. Berkeley: University of California Press.

On Common Ground. 2011. *Human Rights Assessment of Goldcorp's Marlin Mine*. Vancouver, Canada: On Common Ground Consultants. Accessed April 30, 2017. http://csr.goldcorp.com/2011/docs/2010_human_full_en.pdf.

Organización Internacional para las Migraciones. 2013. *Perfil Migratorio de Guatemala 2012*. Guatemala City: Organización Internacional para las Migraciones.

Palma Murga, ed. 1991. *Indice General del Archivo del Extinguido Juzgado Privativo de Tierras Depositado en la Escribanía de Cámara del Supremo Gobierno de la República de Guatemala. Segunda Parte que Comprende el Índice Alfabético General*. México: CIESAS, Centro de Estudios Mexicanos y Centroamericanos.

Patch, Robert. 2002. *Maya Revolt and Revolution in the Eighteenth Century.* Armonk, New

York: Sharpe.

Payeras, Mario. 1998. *Los Días de la Selva*. Guatemala: Piedra Santa.

Perera, Victor. 1993. *Unfinished Conquest: The Guatemalan Tragedy*. Berkeley: University of California Press.

Pitán, Edwin. 2017. "Usted Podrá Reportar al Maestro que no da Clases." *Prensa Libre*, January 16, 2017. Accessed April 1, 2017. http://www.prensalibre.com/guatemala/comunitario/profesores-podran-ser-reportados-por-no-impartir-clases.

Popkin, Eric. 2005. "The Emergence of Pan-Mayan Ethnicity in the Guatemalan Transnational Community Linking Santa Eulalia and Los Angeles." *Current Sociology* 53:4: 675–706.

Prensa Libre. 2013. "Mario Brol irá a 14 Años de Cárcel." June 10, 2013. Accessed February 9, 2017. http://www.prensalibre.com/noticias/justicia/Tribunal-sentencia-empresario-Brol-Samayoa_0_935306700.html.

Quijano, Aníbal. 2008. "Coloniality of Power, Eurocentrism, and Social Classification." In *Coloniality at Large: Latin America and the Postcolonial Debate*, edited by Mabel Moraña, Enrique Dussel, and Carlos A. Jáuregui, 181-224. Durham: Duke University Press.

Rainforest Alliance. 2014. "Rainforest Alliance Announces Record Breaking Scores From Spring Cupping For Quality." April 25, 2014. Accessed Febuary 9, 2017. http://www.rainforest-alliance.org/press-releases/2014-spring-cupping.

Recuperación de la Memoria Historica (REMHI). 1999. *Guatemala: Never Again!* Maryknoll, New York: Orbis Books.

Remesal, Antonio de. 1964. *Historia General de las Indias Occidentales y Particular de la Gobernación de Chiapa y Guatemal*a. Volume 189. Madrid: Ediciones Atlas.

Restrepo, Eduardo. 2007. "Coloniality y Antropología." In *El Giro Decolonial: Reflexiones para una Diversidad Epistémica más allá del Capitalismo Global*, edited by S. Castro-Gómez and R. Grosfoguel, 289-304. Bogota: Siglo del Hombre Editores.

Roberts, Tobias. 2011. "Conflict of Reasonability – A Guatemalan Indigenous Community vs. an Italian Energy Corporation." *MCC Latin America Advocacy Blog*. Nov. 17, 2011. Accessed April 30, 2017. http://lacaadvocacy.wordpress.com/2011/11/17/conflict-of-reasonability-a-guatemalan-indigenous-community-vs-an-italian-energy-corporation.

———. 2012. *Análisis de Pérdidas Economicas Percibidas por las 12 Comunidades del Río Copón Debido a la Contaminación del Río por Parte del Proyecto Hidroeléctrico Palo Viejo de la Empresa Italiana Enel*. Guatemala: Fundamaya.

———. 2014. “The Other Side of Fracking: Connecting the Dots Along the Supply Lines.” Accessed January 11, 2017. http://www.huffingtonpost.com/tobias-roberts/the-other-side-of-fracking_b_5476952.html.

———. 2015. “Placelessness: The Underlying Cause of Central American Youth Migration.” *Huffington Post*, March 3, 2015. Accessed March 10, 2015. http://www.huffingtonpost.com/tobias-roberts/ placelessness-theunderlying-cause-youth-migration_b_6790786.html.

Rodríguez-Garavito, César. 2011. “Ethnicity.gov: Global Governance, Indigenous Peoples, and the Right to Prior Consultation in Social Minefields.” *Indiana Journal of Global Legal Studies*. 18(1): 263-305.

San Marcos Cumlá. 2008. “Acta Numero 08-2008”. July 7. Cotzal, Guatemala.

Sanford, Victoria. 2003. *Buried Secrets: Truth and Human Rights in Guatemala*. New York: Palgrave Macmillan.

Sassen, Saskia. 2016. “A Massive Loss of Habitat: New Drivers for Migration.” *Sociology of Development* 2(2): 204-233.

SBI International Holdings AG, Guatemala and Latinoamérica. 2017. “Hydroelectric Projects.” Accessed April 28, 2017. http://solelboneh.com/web/proyectos-hidroelectricos?lang=en.

Schlesinger, Stephen C. 1982. *Bitter Fruit: The Untold Story of the American Coup in* Guatemala. Garden City, New York: Doubleday.

Secretaría de Educación Pública. 1945. *El Maestro Rural: Guía Metodológica para la Enseñanza del Idioma Nacional a los Niños Analfabetos*. Guatemala: Tipografía Nacional.

Semilla de Sol, the International Network on Gender and Sustainable Energy, and the International Union for the Conservation of Nature. 2015. “Experience in Gender Inclusion in the Implementation of the Batzchocolá Community Micro Hydroelectric Plant in Nebaj, Quiché, Guatemala.” Accessed February 9, 2017. http://www.energia.org/cms/wp-content/uploads/2015/12/Semilla-de-Sol_ENG-1.pdf.

Sieder, Rachel. 2011. “Contested Sovereignties: Indigenous Law, Violence and State Effects in Postwar Guatemala.” *Critique of Anthropology*, 31(3): 161-184.

Simon, Jean-Marie. 1988. *Guatemala: Eternal Spring, Eternal Tyranny*. New York: Norton.

Skylight Pictures. 2011. *Granito: How to Nail a Dictator*. Director, Pamela Yates. Producer, Paco De Onís. Brooklyn, New York: Skylight Pictures.

Smith, Andrea. 2007. “Native American Feminism, Sovereignty and Social Change.” In *Making*

Space for Indigenous Feminism, edited by Joyce Green, 93-107. London: Zed Books.

Smith, Augustus Ledyard and Alfred Kidder. 1951. *Excavations at Nebaj, Guatemala*. Washington D.C.: Carnegie Institution of Washington.

Smith, Linda T. 1999. *Decolonizing Methodologies: Research and Indigenous Peoples*. London: Zed Books.

Smith González, René Oswaldo. 2011. "Respuesta a las Comunidades de San Juan Cotzal, Guatemala, 2 de Septiembre de 2011". September 2. Guatemala.

———. 2012. Letter to Vitalino Similox. November 13. Guatemala.

Speed, Shannon. 2006. "At the Crossroads of Human Rights and Anthropology: Toward a Critically Engaged Activist Research*." American Anthropologist* 108(1): 66–76.

Stanley, Leonardo and Lyuba Zarsky. 2011. "Searching for Gold in the Highlands of Guatemala: Economic Benefits and Environmental Risks of the Marlin Mine." Medford, MA: Global Development and Environment Institute, Tufts University. Accessed Nov. 26, 2011. http://ase.tufts.edu/gdae/policy_research/marlinemine.pdf.

Stoll, David. 1988. "Evangelicals, Guerrillas, and the Army: The Ixil Triangle Under Rios Montt." In *Harvest of Violence: The Maya Indians and the Guatemalan Crisis* edited by Robert Carmack, 90-116. Norman: University of Oklahoma Press.

———. 1993. *Between Two Armies in the Ixil Towns of Guatemala*. New York: Columbia University Press.

———. 1999. *Rigoberta Menchú and the Story of all Poor Guatemalans*. Boulder: Westview Press.

———. 2013. *El Norte or Bust!: How Migration Fever and Microcredit Produced a Financial Crash in a Latin American Town*. Lanham, Maryland: Rowman & Littlefield Publishers.

Taracena, Arturo Arriola. 2002. *Etnicidad, estado y nación en Guatemala, 1944-1985: Volumen II*. Guatemala: Centro de Investigaciones Regionales de Mesoamérica.

Terraza Brito, Magdalena. 2015. *Los Efectos de la Guerra desde la Perspectiva De una Niña de la CPR*. Guatemala: Ixil University.

Townsend, Paul G. and Lax Met T. 1980. "Ixil Text from Guatemala". In *Guatemalan Maya Texts*, edited by Paul G. Townsend, 81-129. Guatemala: Summer Institute of Linguistics.

Townsend, Paul G., Te'c Cham, and Po'x Ich'. 1980. *Ritual Rhetoric from Cotzal*. Guatemala: Summer Institute of Linguistics.

Tribunal Supremo Electoral. 2011. *La Memoria de Elecciones Generales y al Parlamento Centroamericano 2011: Tomo II*. Guatemala: Tribunal Supremo Electoral.

Tu Poj (San Felipe Chenlá). 2011. "Acta Numero 23-2011". July 18. Cotzal, Guatemala.

United Nations. 2008. *United Nations Declaration on the Rights of Indigenous Peoples*. Accessed April 30, 2017. http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf.

Valdés, Juan Antonio. 2006. "Management and Conservation of Guatemala's Cultural Heritage: A Challenge to Keep History Alive." In *Art and Cultural Heritage: Law, Policy, and Practice*, edited by Barbara T. Hoffman, 94-. Cambridge: Cambridge University Press.

Volpe, Daniele. 2015. *Chukel: Buscando*. Tegucigalpa, Honduras: Diakonia.

Washington Office on Latin America (WOLA).1988. *Who Pays the Price?: Cost of War in the Guatemalan Highlands*. Washington, D.C.: Washington Office on Latin America.

Wellmeier, Nancy J. 1998. *Ritual, Identity, and the Mayan Diaspora*. New York: Garland Publishers.

World Bank. 2017. "Personal Remittances, Received (current US$)." Accessed April 30, 2017 http://data.worldbank.org/indicator/BX.TRF.PWKR.CD.DT?end=2015&locations=GT&page=4&start=1977&view=chart.

Xeol Vitz Chaq'ala. 2013. "13 de Marzo 2013, Municipalidad de Cotzal Firma Convenio con la Empresa Enel". [Video File]. Accessed April 18, 2017. https://www.youtube.com/watch?v= EZ6cmA4pRO0.

Zeceña, Leonel Díaz. 2011. "Conflictos por Tierra eran mil 367 a Junio." *Prensa Libre*, August 12. Accessed November 16, 2011. http://www.prensalibre.com/noticias/politica/Conflictos- tierra-mil-junio_0_534546545.html.

Źrałka, Jarosław and Katarzyna Radnicka. 2013/2014. "Between the Past and the Present: The Ixil Maya and the Discovery of Rare Mural Paintings in Guatemala." *Estudios Latinoamericanos* 33/34: 169-185.